

Ordinance 53-17

An Ordinance of Appropriation for Governmental Operations of the Executive, Legislative, and Judicial Branches, Circle of Health, Gaming Regulatory Authority, Department of Athletic Regulation, Supplemental Income Program for Elders (“SIPE”) and Tribal Employment Rights Office of the Mille Lacs Band Tribal Government for fiscal years ending September 30, 2018 and September 30, 2019.

The District I, District II and District III Representatives jointly introduced the following Bill on this 30th day of November, 2017.

Preamble

It is enacted by the Band Assembly of the Mille Lacs Band of Ojibwe Indians for the purpose of appropriating funds for Governmental Operations, Circle of Health, Gaming Regulatory Authority, Department of Athletic Regulation, Supplemental Income Program for Elders and Tribal Employment Rights Office for fiscal years ending September 30, 2018 and September 30, 2019.

Fiscal Year 2018

Section 1: Governmental Operations. The Band Assembly hereby appropriates funds for the Executive, Legislative, and Judicial Branches, Circle of Health, Gaming Regulatory Authority, Department of Athletic Regulation, Supplemental Income Program for Elders and Tribal Employment Rights Office for fiscal year ending September 30, 2018 (attached hereto as “Exhibit A”).

Section 1.01. Any program not specifically named above shall be excluded from appropriations in this Bill and as such the Commissioner of Finance shall be precluded from authorizing expenditures until such time as appropriation occurs.

Section 1.02. The Band Assembly hereby appropriates and authorizes the expenditure of **\$103,440,034.00** for the fiscal year ending September 30, 2018 for the Governmental Operations of the Executive, Legislative, Judicial Branches, Circle of Health, Gaming Regulatory Authority, Department of Athletic Regulation, Supplemental Income Program for Elders and Tribal Employment Rights Office (attached hereto as “Exhibit A”): Fiscal Year 2018 Budget.

Section 1.03. The Band Assembly hereby appropriates and authorizes the expenditures of programmatic funds and specifically allocates these funds for the following tribal operations:

Fiscal Year 2018

Chief Executive	\$ 1,692,155.00
Legislative	\$ 7,199,751.00
Judicial	\$ 1,217,743.00
Administration & AanjiBimaadizing	\$11,225,679.00
Education	\$17,385,048.00

Natural Resources	\$ 4,136,589.00
Department of Justice	\$ 6,442,958.00
Community Development & Housing	\$11,775,792.00
Health and Human Services	<u>\$28,780,151.00</u>
Total FY 2018 Budgets	<u>\$89,855,866.00</u>

Fiscal Year 2018

Circle of Health

From Circle of Health Endowment Funds	\$ 5,720,000.00
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Gaming Regulatory Authority

From Economic Development Funds	\$ 5,064,850.00
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Department of Athletic Regulations

From Fees, Taxation, Miscellaneous Revenue And Casino Distributions	\$ 261,437.00
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Supplemental Income Program for Elders

From Interest/Dividend Earned income from SIPE Endowment Accounts	\$ 2,284,938.00
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Tribal Employment Rights Office

From Miscellaneous Income (Fees, Casino Distributions)	\$ 252,943.00
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All funds appropriated are maximum amounts and shall not be exceeded.

Section 2. Specifically excluded from this Bill are any grants or contracts not listed in the attached "Exhibit A" (Fiscal Year 2018 Budget).

Section 3. No expenditure that causes an appropriation to be exceeded may be paid under any circumstance without further Band Assembly action.

Section 4. Any increase in funding to any grant or contract listed in the attached Fiscal Year 2018 Budget, or any newly received grant or contract, shall be subject to supplemental appropriation by the Band Assembly prior to any expenditure of these funds.

Section 5. Any decrease in funding to any grant or contract already budgeted shall automatically result in an equal decrease in the approved appropriation and, upon notification of the decrease by the appropriate grant agency, shall be subject to action by the Band Assembly to decrease the specific appropriation.

Section 6. Indirect costs shall be collected for the particular programs based on the current rate approved by the United States Department of Interior and/or Office of Inspector General unless limited to lesser rate by applicable federal and/or state regulations.

Section 7. The Band Assembly and Chief Executive agree that quarterly progress reports shall be submitted to the Band Assembly by all Commissioners for their respective programs. The Band Assembly shall notify the office of the Chief Executive and the office of each Commissioner required to appear before the Band Assembly, three (3) consecutive days prior to their scheduled appearance.

Section 8. Except as otherwise exempted, all appropriations shall lapse at the end of each fiscal year and be available for re-appropriation by the Band Assembly.

Section 9. The Band Assembly hereby authorizes the Commissioner of Finance to access Interest/Dividend Earnings from the Band's Long Term Savings Account not to exceed \$5,000,000.00 to cover any biennium budgetary shortfalls for Fiscal Year 2018.

Section 10. The Band Assembly hereby authorizes Commissioners to approve budgetary revisions within programs up to **\$10,000.00** provided that the budget revisions are allowable under grant provisions, if applicable and that sufficient funds are available for the budget revisions. For budget 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.

Section 11. All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant terms so as to automatically carry-over to the next fiscal year if appropriated funds remain and if the grant is not completed within Fiscal Year 2018. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Fiscal Year 2019

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Legislative	\$ 7,321,770.00
Judicial	\$ 1,250,395.00
Administration & AanjiBimaadizing	\$11,442,696.00
Education	\$17,387,090.00
Natural Resources	\$ 4,251,069.00
Department of Justice	\$ 6,710,770.00
Community Development	\$11,820,704.00
Health and Human Services	<u>\$29,693,291.00</u>
Total FY 2019 Budgets	<u>\$91,621,038.00</u>

Fiscal Year 2019

Circle of Health

From Circle of Health Endowment Funds	\$ 5,720,000.00
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Gaming Regulatory Authority

From Economic Development Funds	\$ 5,332,641.00
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Department of Athletic Regulations

From Fees, Taxation, Miscellaneous Revenue And Casino Distributions	\$ 261,463.00
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From Interest/Dividend Earned Income from SIPE Endowment Accounts	\$ 2,330,403.00
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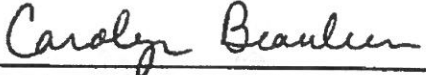
WHEREAS, the Band Assembly and the Chief Executive acknowledge that the aforesaid donation amount is well within the desired six (6%) percent of the average quarterly value of the funds (health, educational, cultural, environmental and economic development purposes) as set forth in Joint Resolution 14-04-71-11 and hereafter require notification of all donation awards to be via Joint Resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Band Assembly and Chief Executive hereby approve a donation in the amount of five thousand dollars and no cents (\$5,000.00) to White Earth Land Recovery Project – for the benefit of Nijjii Broadcasting (KKWE Radio) located in Calloway, MN; and

BE IT FURTHER AND FINALLY RESOLVED, as approved in Joint Resolution 14-04-71-11, the Secretary-Treasurer and Chief Executive shall continue to jointly notify the Minnesota Community Foundation via Joint Resolution of any applications approved by the Chief Executive, Secretary-Treasurer and Band Assembly members and direct the Minnesota Community Foundation to make such grants from the Band's funds held for such purpose.

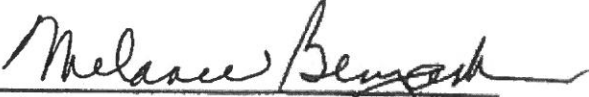
WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a special session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present held on the 30th day of November, 2017 at Onamia, Minnesota by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly.



Carolyn Beaulieu, Speaker of the Assembly

IN CONCURRENCE with the action of the Speaker of the Assembly, I hereunto set my hand to this resolution.



Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Band Assembly Bill 17-04-53-17

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