

Ordinance 29-21

An Ordinance of Supplemental Appropriation for Disbursement of Unspent Net Revenue Funds for an Adult Band Member Economic Support Payment for the Months of April and May 2021 in the Fiscal Year Ending September 30, 2021.

The District III Representative introduced the following Bill on the 17th day of March, 2021.

Preamble

It is enacted by the Band Assembly of the Non-Removable Mille Lacs Band of Ojibwe for the purpose of authorizing an Adult Band Member Economic Support Payment for the months of April and May 2021 of Fiscal Year ending September 30, 2021. The Coronavirus (“COVID-19”) disease has infected more than 118 million people worldwide, to include more than 29 million people in the United States and more than 490,000 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 unemployment rate is 6.2%, per the Bureau of Labor Statistics for February 2021, 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 January 2021, Minnesota’s unemployment rate is at 5.1%, compared to pre-COVID-19 rates that were consistently between 2.3 % and 3.5%.

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 (“MLBS”). 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 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 Unspent Net Revenues 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: Unspent Net Revenue Funds: The Band Assembly hereby appropriates and authorizes expenditures for Adult Band Member Economic Support Payments from Unspent Net Revenue funds for the months of April and May 2021 of the Fiscal Year ending September 30, 2021.

Section 1.01: The Band Assembly hereby appropriates and authorizes the expenditure of: Seven million, five hundred eighteen thousand, five hundred twenty-seven dollars and no cents (\$7,518,527.00) of FY2021 Unspent Net Revenue Funds for Adult Band Members.

The April and May 2021 Adult Band member payment is set at One thousand, one hundred seventeen dollars and no cents (\$1,117.00) each (18 years and older, on April 1st, 2021 and May 6th 2021, respectively, except those who have attested they request no economic assistance from the Band on the Band Member Attestation Form); a maximum of Twenty-five dollars and zero cents (\$25.00) may be intercepted for Child Support purposes; and Child Support notice requirements are waived for this financial support payment. A maximum of Five hundred dollars and zero cents (\$500.00) may also be withheld if the Office of Management and Budget has not received from the recipient, the required Attestation Form for Economic Support payments by 8 AM central time, Wednesday March 24th, 2021 for the April payment, and Wednesday April 28th, 2021 for the May payment.

Total Fiscal Year 2021 Mille Lacs Band Tribal Operations hereby amends to read: Two hundred eleven million, eight hundred twenty-eight thousand, two hundred ninety-two dollars and eleven cents (\$211,828,292.11).

Section 1.02: The Band Assembly hereby appropriates and authorizes the expenditure of Unspent Net Revenue funds for the following:

<u>Fiscal Year 2021</u>	<u>Supplemental</u>	<u>Total Amended Amount</u>
Economic Support Payments		
of FY2021 Unspent Net Revenue Funds	\$7,518,527.00	
Total Fiscal Year 2021 Unspent Net Revenue Funds		\$38,215,811.50
Total Fiscal Year 2021 Mille Lacs Band Tribal Operations		\$211,828,292.11

Section 1.03: All funds appropriated are maximum fund amounts and shall not be exceeded. Funds must be utilized for the purposes identified herein.

Ordinance 29-21
(Band Assembly Bill 19-03-29-21)

Introduced to the Band Assembly on this
Seventeenth day of March in the year
Two thousand twenty-one.


Passed by the Band Assembly on this
Seventeenth day of March in the year
Two thousand twenty-one.



Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: March 17, 2021



Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND