



THE MILLE LACS BAND OF  
**OJIBWE INDIANS**

*Legislative Branch of Tribal Government*

**Commissioner's Order No. 12 -12**

**A COMMISSIONER'S ORDER REGARDING VOLUNTARY ASSIGNMENTS OF  
BAND GOVERNMENT EMPLOYEE PAYROLL**

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WHEREAS, pursuant to 22 MLBSA § 104 (a) the Commissioner of Finance (Commissioner) of the Mille Lacs Band of Ojibwe (Band) serves as the chief administrative officer of the Band's Office of Management and Budget (OMB) pursuant to the directives of the Band Assembly; and

WHEREAS, pursuant to 22 MLBSA § 104(m) the Commissioner has the power to promulgate rules and regulations through Commissioner's Orders for the administration and enforcement of the provisions of Title 22; and

WHEREAS, OMB is responsible for processing payroll to all Band Government Employees in accordance with Internal Revenue Service Regulations and Band Government Policies; and

WHEREAS, from time to time Band Government Employees have made voluntary assignments of future payroll payments (or portions thereof) and have requested that OMB distribute such payments in accordance with those assignments; and

WHEREAS, there is a need to adopt an order or policy to guide OMB in responding to such requests; and

WHEREAS, the adoption of a Commissioner's Order regarding such requests is necessary to: (1) provide for uniform treatment of all Band Government Employees making such requests; (2) aid in the efficiency and accuracy of processing payroll payments; (3) ensure that OMB's response is consistent with Band policy and law; and (4) to prevent abuse;

NOW, THEREFORE, pursuant to the authority vested in me as the Commissioner of Finance, I hereby issue this Order regarding voluntary assignments of Band government payroll:

1. Effective on the date of this Order, the Office of Management and Budget (OMB) will accept (and agree to distribute payroll payments or any portion thereof on the basis of) a Band Government Employee's voluntary assignment of his/her payroll payments or any portion thereof only if: (a) the assignment is in writing and signed by the Band Government Employee; and (b) the assignment is for the Band's 401(k) program, medical insurance program, or a debt owed to the Band, a political subdivision or other entity of the Band, including Woodlands National Bank, or an outside vendor that provides heating fuel or electricity to the Band Government Employee for his/her residence and is approved by OMB. No exceptions to the above referenced policy regarding voluntary assignments of payroll shall hereafter be accepted or processed by OMB.

2. As a condition of accepting and processing a voluntary assignment of a Band Government Employee's future payroll payments in accordance with paragraph 1, OMB reserves the right to deduct a processing fee for the payment of any debts owed to the Band, or political subdivision or entity of the Band, including Woodlands National Bank, or an outside vendor as referenced in paragraph 1 above.

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3. It is not the intention of this Order to affect or change existing assignments of Band government payroll and such existing payroll assignments will be paid in accordance with its specific terms upon approval by OMB.

DATED this 8<sup>th</sup> day of December, 2011.



John Gerdener, CPA, MBA  
Commissioner of Finance

APPROVED AS TO FORM, EXECUTION  
AND NUMBERING



Todd Matha, Solicitor General

**OFFICIAL SEAL OF THE BAND**