

MILLE LACS BAND OF CHIPPEWA INDIANS

Legislative Branch of Tribal Government

LEGISLATIVE ORDER 005

- WHEREAS, The Band Assembly is responsible to appropriate all funds of the Band pursuant to the provisions of Band Statute 1002-MLC-2, Section 2; and,
- WHEREAS, The Band Assembly has not established regulations or procedures to determine appropriation related matters; and,
- WHEREAS, The Band Assembly recognizes the obligation of the Executive Branch of Tribal Government to promulgate policy for the Band and that the role of the Band Assembly is to appropriate funds to implement said policy objectives that are consistent with the Laws of the Band.
- NOW, THEREFORE, pursuant to the powers vested in the Band Assembly by Article VI of the Constitution of the Minnesota Chippewa Tribe and Band Statute 1002-MLC-2, the following regulations and procedures shall apply to the considerations of the Band Assembly for every Appropriation Bill.

RULE NO. 1

The Band Assembly shall consider no Appropriation Bill unless written and oral testimony is provided by the appropriate Commissioner of the Executive Branch or the Solicitor General on behalf of the Judicial Branch.

Written testimony shall be submitted at least 72 hours prior to formal hearing.

RULE NO. 2

The Band Assembly shall require the filing of two "Impact Statements" for each appropriation Bill. One impact statement shall be titled District Impact Statement and the other Band Impact Statement.

The purpose of the "Impact Statement" is to discuss the policy objective to be served and how the planned expenditure of funds will benefit the Band and/or District of the Band. The "Impact Statement" shall be completed by the appropriate Commissioner. This document shall discuss the expected results of the planned expenditure of funds and any foreseen positive or negative results from the expenditure.

RULE NO. 3

The Band Assembly shall require the filing of an "Administrative Due Process Plan" for each Appropriation Bill. This plan shall

set-out the appeal procedures available to any person dissatisfied with any decision of any Executive Entity of the Band. Each plan shall be certified by the Solicitor General.

RULE NO. 4

The Band Assembly hereby establishes the following "Distribution of Funds" schedule within each District of the Mille Lacs Band based upon population:

DISTRICT I :	58%
DISTRICT II :	18%
DISTRICT III :	24%

The aforementioned Distribution of Funds schedule is a minimum acceptable level of service guidelines. For those grants and contracts which are based upon need, each District is entitled to the above listed schedule provided sufficient need exists. For those grants and contracts which are not based upon need, each District is entitled to receive service in proportion to the aforementioned schedule no upper limit is imposed.

RULE NO. 5

The Band Assembly shall appropriate no funds to financially support organizations, clubs or businesses or other entities that are not officially licensed and recognized according to applicable Band Law.

RULE NO. 6

The Band Assembly shall appropriate grant and contractual funds that are solely within the terms of the applicable grant or contract.

RULE NO. 7

For the purpose of appropriation of funds of the Band Government, discretionary funds from any block grant or any revenue sharing funds, all regulations promulgated in this Legislative Order shall apply, including:

A. The Band Assembly shall recognize the following Entities for funding:

1. Natural Resource Administration
2. Consolidated Nay-Ah-Shing School Board
3. Mille Lacs Band - Public Works Commission
4. Human Services Administration
5. Office of Management and Budget
6. Cabinet
7. Band Assembly

8. Court of Central Jurisdiction
 9. Licensed Community Organizations
- B. Distribution of Funds Schedule located in Rule No. 4 shall apply. All Districts shall receive their proportional entitlement in actual funds or services realized from the expenditure of funds.
 - C. All requests of the Human Services Administration shall be approved by the Human Services Policy Board.
 - D. The Band Assembly shall not consider requests that benefit individual programs.
 - E. Funding requests from each District of the Band, shall be incorporated into the request of the Band Assembly found in sub-section A (7) above.
 - F. The Band Assembly shall appropriate no funds to supplant existing programs offered within the Band.
 - G. The Band Assembly will appropriate funds to supplement existing programs offered within the Band on a limited basis only and depending upon fulfilling a public policy need.
 - H. The Band Assembly may appropriate funds to assist individual persons in emergency situations provided need guidelines are promulgated in advance.
 - I. The Band Assembly may appropriate funds to employ individuals to perform a specific service only on the condition that no other person in the employment of the Band can provide said service to the Band.

RULE NO. 8

The Band Assembly hereby recognizes the following policy objectives of the Non-Removable Mille Lacs Band of Chippewa Indians:

- A. Public Education of Band Members
- B. General Community Development
- C. General Government - Full Faith and Credit with the people
- D. Efficient Administration of Band Operations

RULE NO. 9

The Band Assembly shall take no action on any Appropriation

Bill until Public Hearing has been held within the appropriate District of the Band or in all Districts whichever is required.

RULE NO. 10

The Commissioner of Finance shall be responsible to present written and oral testimony on the appropriation request of the Mille Lacs Band of Chippewa Indians.

RULE NO. 11

The Commissioner of Corporate Affairs shall be responsible to present written and oral testimony on the appropriation request of the Mille Lacs Band -Corporate Commission.

RULE NO. 12

The Executive Director of the Mille Lacs Reservation Housing Authority shall be responsible to present written and oral testimony on the appropriation request of the Authority.

RULE NO. 13

All funds appropriated during any fiscal year shall cease to be appropriated on September 30th of every calendar year in accordance with the laws of the Band.

RULE NO. 14

All annual Appropriation Bills shall be submitted to the Speaker of Assembly on August 1 of every calendar year pursuant to the following schedule:

- District I Representative - Education
Government
- District II Representative - Natural Resources
Corporate
Housing
- District III Representative - Human Services
Court

RULE NO. 15

Funds received within one grant or contract to support activities within any other entity of the Band shall be appropriated in the Chapter of Law which receives the funds

to provide the service. All said funds under this circumstance shall be considered as pass-through funds.

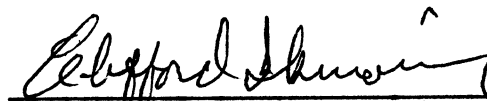
IT IS SO ORDERED

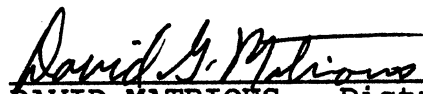
DONE, at Nay-Ah-Shing this 9th day of July, 1986.

[OFFICIAL SEAL OF THE BAND]


HENRY J. DAVIS - Speaker of the Assembly


MARGIE ANDERSON - District I Representative


CLIFFORD SKINAWAY - District II
Representative


DAVID MATRIOUS - District III
Representative

ACCEPTED TO FORM AND EXECUTION


JAY KANASSATEGA - Solicitor General