



THE MILLE LACS BAND OF
OJIBWE INDIANS

Legislative Branch of Tribal Government

**SPECIAL REVENUE
RESOLUTION 20-02-05-22**

A SPECIAL REVENUE RESOLUTION AUTHORIZING THE COMMISSIONER OF FINANCE TO SIGN THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE'S 401(k) RETIREMENT PLAN ADOPTION AGREEMENT FOR MERRILL LYNCH, PIERCE, FENNER & SMITH INC. NON-STANDARDIZED DEFINED CONTRIBUTION PRE-APPROVED PLAN AND AN AMENDMENT TO IMPLEMENT HARDSHIP DISTRIBUTION PROVISIONS OF THE BIPARTISAN BUDGET ACT OF 2018

- WHEREAS, the Mille Lacs Band Assembly ("Band Assembly") is the duly elected legislative body of the Non-Removable Mille Lacs Band of Ojibwe ("Band"), a federally-recognized Indian tribe; and
- WHEREAS, according to 3 MLBS § 3(d), the Band Assembly is empowered to adopt resolutions; and
- WHEREAS, according to 3 MLBS § 3(f), the Band Assembly is empowered to "ratify agreements, contracts, cooperative and reciprocity agreements and memoranda of understanding[;]" and
- WHEREAS, pursuant to 3 MLBS § 8(a), the Band's Secretary-Treasurer shall "superintend and manage all fiscal operations, planning and budgeting of the [Band] as authorized by the Band Assembly[;]" and
- WHEREAS, pursuant to 7 MLBS § 26(b)(4), "Band Assembly ratification is required for all contracts in excess of \$25,000.00[;]" and
- WHEREAS, pursuant to 22 MLBS § 102(a), any "direction to the Commissioner of Finance shall be promulgated" via a "Special Revenue Resolution" which shall contain the signatures of the "Speaker of the Assembly, two members of the Band Assembly and be concurred upon by the Chief Executive[;]"
- WHEREAS, approval has been received from the Internal Revenue Service ("IRS") for the Merrill Lynch Pre-Approved Plan documents updated for the Cycle 3 Restatement; and
- WHEREAS, the Band's 401(k) retirement plan ("Plan") is required to be restated onto the new Cycle 3 document so as to not jeopardize the plan's tax-qualified status; and

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WHEREAS, such restatement must be completed by July 31, 2022; and

WHEREAS, the Commissioner of Finance is the authorized signer for the Plan.

NOW, THEREFORE, BE IT RESOLVED that the Band Assembly does hereby authorize the Commissioner of Finance to sign the above titled documents so the Band's Plan retains its tax-qualified status.

WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly, in Legislative Council assembled, a quorum of legislators being present, held on the 20th day of July, 2022, at Nayahshing, Minnesota, by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly, hereby affix our signatures to this Special Revenue Resolution in accordance with 22 MLBS § 102.



Sheldon Boyd, Speaker of the Assembly


Virgil Wind, District 1 Representative


Wendy Merrill, District 2 Representative


Harry Davis, District 3 Representative

IN CONCURRENCE, with the action of the Band Assembly, I hereby set my hand to this Special Revenue Resolution in accordance with 22 MLBS § 102.


Melanie Benjamin, Chief Executive

