

Amended 10/18/01
to read as.
09-04-01-02
Ord. 01-02.

Ordinance 35-02

An Ordinance of Appropriation for **Governmental Operations** of the Executive, Legislative, and Judicial Branches of Tribal Government for fiscal years ending September 30, 2002 and 2003.

The District I, District II and District III Representatives jointly introduce the following bill on this 2nd day of October 2001.

Preamble

It is enacted by the Band Assembly of the Mille Lacs Band of Ojibwe Indians for the purpose of appropriating funds for all governmental operations for fiscal years ending September 30, 2002 and 2003.

Fiscal Year 2002

Section 1. Governmental Operations. The Band Assembly hereby appropriates funds for the Executive, Legislative and Judicial Branches for fiscal years ending September 30, 2002 for the following programs: Administration, Judicial, Public Safety, Education, Health and Human Services, Natural Resources and Land Acquisition, Community Development, Housing, and the Housing Initiative (attached hereto as "Exhibit A").

Section 1.01. Any program not specifically listed above shall be excluded from appropriations in this bill and as such the Finance Officer and/or Commissioner of Finance shall be precluded from authorizing any expenditure until such time as appropriation occurs.

Section 1.02. The Band Assembly hereby appropriates and authorizes the expenditure of **\$50,077,356** for the fiscal year ending September 30, 2002 for the governmental operation of the Executive, Legislative and Judicial Branches (attached hereto as "Exhibit A"): Fiscal Year 2002 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/functions:

Fiscal Year 2002

Administration	\$10,434,129.00
Judicial	\$ 991,939.00
Housing	\$ 2,417,864.00
Public Safety	\$ 1,963,205.00
Education	\$14,218,024.00
Health and Human Services	\$12,442,154.00
Natural Resources and Land Acquisition	\$ 3,443,168.00
Community Development	\$ 4,166,873.00

Total F.Y. 2002 Budget \$ 50,077,356.00

All funds appropriated are maximum fund 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 2002 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 2002 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 granting agency, shall be subject to action by the Band Assembly to decrease the specific appropriation.

Section 6. Indirect costs shall be collected from 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 a lesser rate by applicable federal or state regulations.

Section 7. The Office of Management and Budget shall present a financial status report summary on a bi-annual basis and present the same to Band members at District meetings. A copy of this appropriation bill shall also be mailed to each Band member within sixty (60) days of enactment and be stamped as "confidential" material.

Section 8. A summary of the approved appropriation bill for the fiscal year ending September 30, 2002 shall also be published in the Mille Lacs Band Newsletter within sixty (60) days of the approval of the bill.

Section 9. 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.

Section 10. 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 11. The Band Assembly hereby authorizes commissioners to approve budgetary transfers within programs up to \$10,000.00 per line item, provided that the transfers are allowable under grant provisions, if applicable. For transfers over \$10,000.00, the Band Assembly hereby authorizes the Administrative Policy Board to approve budget transfers within programs of up to 50% of the total program budget transfers within a given budget line item if the program is under one hundred thousand dollars and up to 20% if the program is one hundred thousand dollars or greater.

Section 12. All funds appropriated for capital construction projects shall be appropriated to align with the project length so as to automatically carry-over to the next fiscal year if appropriated funds remain and if the project is not completed within Fiscal Year 2002. If, for any reason, the project length runs over the contracted period for construction causing construction costs to exceed the appropriated amount, the Band Assembly must be notified so as to take appropriate action.

Fiscal Year 2003

Section 1. Governmental Operations. The Band Assembly hereby appropriates funds for the Executive, Legislative and Judicial Branches for fiscal years ending September 30, 2003 for the following programs: Administration, Judicial, Public Safety, Education, Health and Human Services, Natural Resources and Land Acquisition, Community Development, Housing, and the Housing Initiative (attached hereto as "Exhibit B").

Section 1.01. Any program not specifically listed above shall be excluded from appropriations in this bill and as such the Finance Officer and/or Commissioner of Finance shall be precluded from authorizing any expenditure until such time as appropriation occurs.

Section 1.02. The Band Assembly hereby appropriates and authorizes the expenditure of **\$48,199,491** for the fiscal year ending September 30, 2003 for the governmental operation of the Executive, Legislative and Judicial Branches (attached hereto as "Exhibit B"): Fiscal Year 2003 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/functions:

Fiscal Year 2003		
Administration		\$10,385,874.00
Judicial		\$ 1,036,345.00
Housing		\$ 2,283,906.00
Public Safety		\$ 1,974,499.00
Education		\$14,097,102.00
Health and Human Services		\$12,242,329.00
Natural Resources and Land Acquisition		\$ 3,458,974.00
Community Development		\$ 2,720,462.00
Total F.Y. 2003	Budget	\$ 48,199,491.00

All funds appropriated are maximum fund amounts and shall not be exceeded.

Section 2. Specifically excluded from this Bill are any grants or contracts not listed in the attached Exhibit B (Fiscal Year 2003 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 2003 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 granting agency, shall be subject to action by the Band Assembly to decrease the specific appropriation.

Section 6. Indirect costs shall be collected from 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 a lesser rate by applicable federal or state regulations.

Section 7. The Office of Management and Budget shall present a financial status report summary on a bi-annual basis and present the same to Band members at District meetings. A copy of this appropriation bill shall also be mailed to each Band member within sixty (60) days of enactment and be stamped as "confidential" material.

Section 8. A summary of the approved appropriation bill for the fiscal year ending September 30, 2003 shall also be published in the Mille Lacs Band Newsletter within sixty (60) days of the approval of the bill.

Section 9. 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.

Section 10. 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 11. The Band Assembly hereby authorizes commissioners to approve budgetary transfers within programs up to \$10,000.00 per line item, provided that the transfers are allowable under grant provisions, if applicable. For transfers over \$10,000.00, the Band Assembly hereby authorizes the Administrative Policy Board to approve budget transfers within programs of up to 50% of the total program budget transfers within a given budget line item if the program is under one hundred thousand dollars and up to 20% if the program is one hundred thousand dollars or greater.

Section 12. All funds appropriated for capital construction projects shall be appropriated to align with the project length so as to automatically carry-over to the next fiscal year if appropriated funds remain and if the project is not completed within Fiscal Year 2003. If, for any reason, the project length runs over the contracted period for construction causing construction costs to exceed the appropriated amount, the Band Assembly must be notified so as to take appropriate action.

Ordinance 35-02

Introduced to the Band Assembly on this
Second day of October in the year
Two Thousand One

Passed by the Band Assembly on this
Second day of October in the year
Two Thousand One.



Herb Weyaus, Speaker of the Assembly

APPROVED

Date: 10/02/01

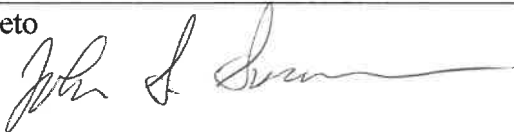


Melanie Benjamin, Chief Executive

Date: _____

FILED

Date: 10/02/01

Veto


Tadd Johnson, Solicitor General

OFFICIAL SEAL OF THE BAND