

Band Assembly Bill 11-01-20-04

A Bill of Appropriation for the **Housing Department (a department of Community Development)** of the Executive Branch of Tribal Government for fiscal years ending September 30, 2004.

The District I, District II and District III Representatives jointly introduced the following bill on this 18th day of June 2004.

Preamble

Be it enacted by the Band Assembly of the Mille Lacs Band of Ojibwe Indians for the purpose of appropriating funds for the Housing Department (a department of Community Development) for fiscal years ending September 30, 2004.

Fiscal Year 2004

Section 1. Governmental Operations. The Band Assembly hereby appropriates funds for the newly restructured Housing Department (which now encompasses the housing initiative and all departments previously known as the housing department and housing authority) (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 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 **\$18,420,532.00** for the fiscal year ending September 30, 2004 for the Housing Department (a department of Community Development) of the Executive Branch (attached hereto as "Exhibit A"): Fiscal Year 2004 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 2004

Community Development

Housing Department	\$18,420,532.00
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Total F.Y. 2004	Budget	\$18,420,532.00
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All funds appropriated are maximum fund amounts and shall not be exceeded. Continuance appropriations for October, November, and December 2003, and January, February, March, April, May, and June 2004 are inclusive of the total appropriations listed above.

Section 2. Specifically excluded from this Bill are any grants or contracts not listed in the attached Exhibit A (Fiscal Year 2004 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 2004 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 Band Assembly and Chief Executive agree that quarterly progress reports shall be submitted to the Band Assembly by all Commissioners for their respective programs. The Band Assembly shall notify the office of the Chief Executive and the office of each Commissioner required to appear before the Band Assembly three (3) consecutive days prior to their scheduled appearance.

Section 8. Except as otherwise exempted, all appropriations shall lapse at the end of each fiscal year and are available for re-appropriation by the Band Assembly.

Section 9. 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 line item transfers within programs of up to 50% of the total program budget if the program is under one hundred thousand dollars and up to 20% if the program is one hundred thousand dollars or greater.

Section 10. 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 2004. 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.

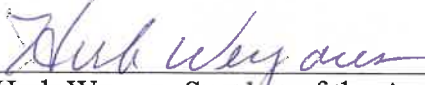
Section 10.01 All funds appropriated for federal, state and private grant funds shall be appropriated to align with the grant term so as to automatically carry-over to the next fiscal year if appropriated funds remain and if the grant is not completed within Fiscal Year 2004. If, for any reason, the grant term runs over the original grant term causing costs to exceed the original grant term appropriated amount, the Band Assembly must be notified so as to take appropriate action. In addition, Band Assembly hereby appropriates and authorizes the expenditure of all federal, state and private grant funds only after receipt by Band Assembly, of signed award letter from grantor agency.

Section 11. All funds appropriated in the Housing Initiative budget (department #235) beyond personnel related costs and the home loan financing and renovation programs, are intended for use in planning, coordinating and construction of new homes, infrastructure or other general construction projects as approved by Band Assembly. No funds appropriated in any of the individual housing department or housing initiative budgets, shall be spent on land acquisition. Any funds to be spent on land acquisition must be approved separately by Band Assembly as a supplemental appropriation.

Ordinance 20-04

Introduced to the Band Assembly on this
Eighteenth day of June in the year
Two Thousand four.

Passed by the Band Assembly on this
Eighteenth day of June in the year
Two Thousand four.



Herb Weyaus, Speaker of the Assembly

APPROVED

Date: 6-24-04



Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND