

Ordinance 02-04

An Ordinance of Appropriation for **Governmental Operations** to continue operations of the Executive, Legislative, and Judicial Branches of Tribal Government for fiscal year ending September 30, 2004.

The District I, District II, and District III Representative jointly introduce the following Bill on this 16th day of October 2003.

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 year ending September 30, 2004.

Title I

Section 1. Governmental Operations. The Band Assembly hereby appropriates one twelfth of funds for the Executive, Legislative, and Judicial Branches for fiscal year ending September 30, 2004 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 programs 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 **\$7,922,921** for fiscal year ending September 30, 2004 for the governmental operation of the Executive, Legislative, and Judicial Branches (attached hereto as "Exhibit A"): Fiscal Year 2004 Budget.

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 2004 Budget).

Section 3. No expenditure that causes any appropriation to be exceeded may be paid under any circumstances 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 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 specified 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 prevent the same to Band members at District meeting. A copy of this appropriation bill shall also be mailed to each Band members 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, 2004 shall be also published in the Mille Lacs 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 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.

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Introduced to the Band Assembly on this  
sixteenth day of October in the year  
Two Thousand three

Passed by the Band Assembly on this  
sixteenth day of October in the year  
Two Thousand three.

*Herb Weyaus*

Herb Weyaus, Speaker of the Assembly

APPROVED

Date: 10-17-03

*Melanie Benjamin*

Melanie Benjamin, Chief Executive

**OFFICIAL SEAL OF THE BAND**