

Ordinance 05-04

An ordinance of Appropriation for **Governmental Operations** of the Executive, Legislative, and Judicial Branches of Tribal Government for the period beginning December 1, 2003 and ending December 31, 2003.

An ordinance of Appropriation for **Corporate Commission** of the Mille Lacs Band to continue operations for the period beginning December 1, 2003 and ending December 31, 2003.

The District I, and District III Representatives jointly introduce the following bill on this 25th day of November 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 and Corporate Commission for the period ending December 31, 2003.

**Fiscal Year 2004**

Section 1. Governmental Operations and Corporate Commission. The Band Assembly hereby appropriates one twelfth of funds for the Executive, Legislative and Judicial Branches for the period ending December 31, 2003 for the following programs: Chief Executive, Legislative, Judicial, Administration, Public Safety, Education, Health and Human Services, Natural Resources and Land Acquisition, Community Development, Housing, Housing Initiative, and Circle of Health (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 of Corporate Commission 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 **\$6,863,272.00** for the period beginning December 1, 2003 and ending December 31, 2003 for the governmental operation of the Executive, Legislative and Judicial Branches (attached hereto as "Exhibit A"): Fiscal Year 2004 Budget.

Section 1.03. The Band Assembly hereby appropriates and authorizes the expenditures of **\$580,824.50** for the period beginning December 1, 2003 and ending December 31, 2003 for the Corporate Commission.

Section 2. Specifically excluded from this Bill are any grants or contracts not listed in the attached Exhibit A.

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 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.

Section 8. 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 9. Except as otherwise exempted all appropriations shall lapse at the end of each fiscal year.

Section 10. 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 11. 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 11.01 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 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.

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

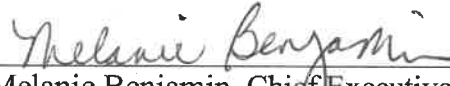
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Introduced to the Band Assembly on this twenty-fifth day of November in the year two thousand three.

Passed by the Band Assembly on this twenty-fifth day of November in the year two thousand three.

  
Herb Weyaus, Speaker of the Assembly

APPROVED  
Date: November 25, 2003

  
Melanie Benjamin, Chief Executive

**OFFICIAL SEAL OF THE BAND**