



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE AUTHORIZATION OF GAMING COMPACT CREDIT AND FUNDING CONTRIBUTION TO SCHOOL DISTRICT OF WISCONSIN DELLS

RESOLUTION 04-07-15E

WHEREAS, on November 1, 1994, the United States Secretary of the Interior approved a new Constitution for the Ho-Chunk Nation, formerly known as the Wisconsin Winnebago Tribe; and

WHEREAS, the Ho-Chunk Nation ("Nation") is a federally recognized Indian Tribe, pursuant to the Indian Reorganization Act of 1934; and

WHEREAS, Article V, Section 2(a) of the Ho-Chunk Nation Constitution ("Constitution") gives the Ho-Chunk Nation Legislature ("Legislature") the power to make laws, including codes, ordinances, resolutions, and statutes; and

WHEREAS, Article V, Section 2(d) of the Constitution grants the Legislature the power to authorize expenditures by law and appropriate funds to the various Departments in an annual budget; and

WHEREAS, Article V, Section 2(i) of the Constitution authorizes the Legislature to negotiate and enter into treaties, compacts, contracts, and agreements with other governments, organizations, or individuals; and

WHEREAS, Article V, Section 2(x) of the Constitution grants the Legislature the power to enact any other laws, ordinances, resolutions, and statutes necessary to exercise its legislative powers delegated by the General Council pursuant to Article III including but not limited to the foregoing list of powers; and

WHEREAS, the Nation entered into a Gaming Compact with the State of Wisconsin in 1992 and has amended said Compact at various times over the years, the most recent of which taking place in 2008 (known as the Third Amendment to the Gaming Compact); and

Executive Offices

W9814 Airport Road P.O. Box 667 Black River Falls, WI 54615
(715) 284-9343 Fax (715) 284-3172 (800) 294-9343

WHEREAS, under Paragraph 8 of the Third Amendment to the Gaming Compact, subsections XXXIV.C. 2 through 6 of the Compact were created under the heading of “Credits;” and

WHEREAS, subsection XXXIV.C. 2 of the “Credits” provisions allows the Nation to deduct certain amounts from its Annual Payment to the State of Wisconsin under the Compact for public works projects, with certain restrictions, beginning in May 2010; and

WHEREAS, in taking this deduction, subsection XXXIV.C.2 requires that the Nation consult with the State regarding which public works projects qualify for the deduction prior to initiating the projects (though the Nation does not need the prior consent of the State); and

WHEREAS, the School District of Wisconsin Dells, by letter dated March 20, 2015 from District Administrator Terrance Slack, requested financial assistance from the Nation’s Legislature in order to meet the educational needs of Ho-Chunk and non-tribal member students within the school district; and

WHEREAS, the School District of Wisconsin Dells is facing a budget deficit for the 2015-16 school year, due to proposed State government cuts, so the District is requesting financial assistance for classroom technology integration and to create a personalized learning environment through the purchase of Chromebooks for students (to be owned by the District); and

WHEREAS, a group of Ho-Chunk families with children in the Wisconsin Dells School District support the Chromebook technology integration concept and request by Mr. Slack; and

WHEREAS, pursuant to the March 20, 2015 letter from the District, their request for the Chromebook initiative is \$132,900.00 in order to serve Ho-Chunk and non-tribal member students, in grades 2-5; and

WHEREAS, the Legislature finds that the Chromebook initiative would benefit the School District of Wisconsin Dells, the City of Wisconsin Dells itself, but also families and students in the District (both Ho-Chunk and non-tribal member alike); and

WHEREAS, by assisting the School District of Wisconsin Dells, the Legislature finds that a contribution for Technology Integration will benefit both the Nation and State, including its political subdivisions (School District of Wisconsin Dells and the local government itself) and, therefore, the Nation’s payments made toward such an item would qualify for a Public Works credit under Paragraph 8 of the Third Amendment to the Gaming Compact, subsection XXXIV.C.2; and

WHEREAS, in addition, the School District of Wisconsin Dells is requesting a contribution of \$45,000 to assist with after-school activity transportation services for students in grades 6-12 involved in after school activities sponsored by the School District; and

WHEREAS, the School District proposes to implement the expanded transportation services for student after-school activities for the start of the 2015-16 school year, in order to benefit students in their school setting and outside of it; and

WHEREAS, by assisting the School District of Wisconsin Dells with expanded transportation services for after-school activities, the Legislature finds that a contribution will benefit both the Nation and State, including its political subdivisions (School District of Wisconsin Dells and the local government itself) and, therefore, the Nation's payments made toward such an item would qualify for a Public Works credit under Paragraph 8 of the Third Amendment to the Gaming Compact, subsection XXXIV.C.2.

NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority and the terms of the Nation's Gaming Compact, hereby authorizes a contribution to the School District of Wisconsin Dells in the amount of \$132,900 for the District's Chromebook Technology Integration initiative, and authorizes a Gaming Compact deduction of the contribution (\$132,900) from the Nation's Annual Compact Payment to the State; and

BE IT FURTHER RESOLVED that the Legislature, pursuant to its Constitutional authority and the terms of the Nation's Gaming Compact, also authorizes a contribution to the School District of Wisconsin Dells in the amount of \$45,000 for expanded transportation services for District after-school activities for grades 6-12, as described in the District's March 20, 2015 request letter, and authorizes a Gaming Compact deduction of the contribution (\$45,000) from the Nation's Annual Compact Payment to the State; and

BE IT FURTHER RESOLVED that the Nation, through its Legislature, President, Attorney General, Legislative Counsel, designated counsel and appropriate staff, will consult with the State of Wisconsin regarding the above credit.

CERTIFICATION

I, the undersigned, as Tribal Secretary of Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of 13 members of whom 9 constituting a quorum were present at a meeting duly called and convened and held that on the 7th day of April, 2015, adopted the foregoing resolution at said meeting by an affirmative vote of 9 members, 0 opposed, and 0 abstaining, pursuant to the Article V, Section 2(a) and (x) of the Constitution of the Ho-Chunk Nation approved by the Secretary of the Interior on November 1, 1994, and that the foregoing resolution has not been rescinded or amended in any way. I further certify that this is a verified copy of said resolution.

Kathleen Lone Tree-Whiterabbit
Kathleen Lone Tree-Whiterabbit, Tribal Secretary

4.7.15
Date