



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE AUTHORIZATION OF GAMING COMPACT CREDIT AND FUNDING FOR JACKSON COUNTY HISTORICAL SOCIETY UTILITY PAYMENTS

RESOLUTION 04-22-14L

- 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(b) of the Constitution grants the Legislature the power to establish Executive Departments, and to delegate legislative powers to the Executive branch to be administered by such Departments, in accordance with the law; any Department established by the Legislature shall be administered by the Executive; the Legislature reserves the power to review any action taken by virtue of such delegated power; 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**, 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

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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 Jackson County Historical Society has requested a monetary contribution to help defray the cost of utilities to operate and offer its galleries to the public and surrounding community; and

WHEREAS, the Jackson County Historical Society devotes one-quarter of its space to Winnebago and Ho-Chunk history, artifacts, baskets, beadwork, and the photography of Charles Van Schaick (noted for his visual history collection of Winnebago and Ho-Chunk families); and

WHEREAS, many members of the Ho-Chunk Nation reside in Jackson County and the Nation’s main government headquarters are in Black River Falls, WI; and

WHEREAS, the Legislature finds that assistance to the Jackson County Historical Society will help the Black River Falls, its residents, visitors, members of the Nation, and the interests of the Nation; and

WHEREAS, by assisting the Historical Society, the Legislature finds that the utility payment is intended to benefit both the Nation and State, including its political subdivisions (Jackson County) 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 Jackson County Historical Society to assist in utility payments in the amount of \$3,800, and authorizes a Gaming Compact deduction of the contribution (\$3,800) 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 **10** constituting a quorum were present at a meeting duly called and convened and held that on the **22nd day of April, 2014**, adopted the foregoing resolution at said meeting by an affirmative vote of **10** 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

4.22.14
Date

