



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE ESTABLISHMENT OF CAPITAL PROJECT RESTRICTED ACCOUNT FOR HO-CHUNK NATION DISTRICT II TOMAH THERAPY CENTER PURCHASE

RESOLUTION 04-23-13G

- 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(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's Appropriations and Budget Process Act permits the creation and establishment of Capital Projects undertaken by the Nation, the funds for which are to be maintained separately from the Nation's General Fund; and
- WHEREAS,** the Nation's Appropriations and Budget Process Act permits the creation and establishment of special restricted use accounts in the Nation's Treasury Department; and
- WHEREAS,** under the Appropriations and Budget Process Act, the Legislature is authorized to designate Capitol Projects; and

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WHEREAS, the Legislature has discussed the need to improve and expand space and opportunities for tribal member families and youth throughout the Nation, and specifically within Legislative District II, and to pursue such an endeavor as a Capitol Project; and

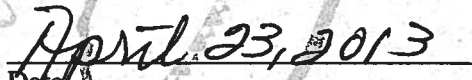
WHEREAS, tribal member families and youth from the Tomah Area are in need of space for activities that will ultimately improve the health and welfare of the Nation;

NOW THEREFORE, BE IT RESOLVED that the Legislature establishes a Capital Project line item in the Nation's Executive Branch for the planning, development, and/or purchase of the Tomah Therapy Center for the purpose of housing the Nation's Youth Services programs and other District II tribal functions, where funds appropriated for such a Project are to be maintained in a restricted use account, and deducted from the Land Acquisition line item in the amount of \$1,500,000.00.

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 on the 23rd day of April, 2013, 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.


Hope B. Smith, Tribal Secretary


Date