



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 DATA CENTER PROJECT

RESOLUTION 05-07-130

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

Executive Offices

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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

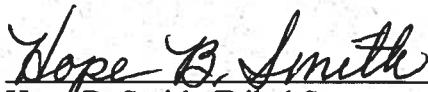
WHEREAS, the Legislature and Legislative Finance Committee have discussed the concept of, and need for, developing and updating the data centers within the Nation's gaming facilities and enterprises; and

WHEREAS, the Legislative Finance Committee received information from the Executive Branch regarding the scope and potential costs for updating the Nation's data centers;

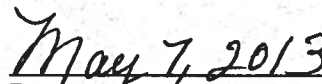
NOW THEREFORE, BE IT RESOLVED that the Legislature establishes a Capital Project line item in the Nation's Executive Branch for the planning, development and construction of updated Data Centers within the Nation's Gaming Facilities, where funds in the amount of \$15,223,680.00 are to be appropriated for such Project from the Nation's lowest bearing interest and money market accounts managed by Todd Anderson, and such funds are to be maintained in a restricted use account.

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 7th day of May, 2013, 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.



Hope B. Smith, Tribal Secretary



Date