



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE AUTHORIZATION TO ADD FUNDS TO CAPITAL PROJECT RESTRICTED ACCOUNT FOR HO-CHUNK NATION DISTRICT I COMMUNITY CENTER PROJECT

RESOLUTION 06-03-14I

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

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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 adopted Resolution 08-07-12N to create a Capital Project restricted account for the planning, development and construction of a District 1 Community Center and appropriated \$2.5 million dollars to the account from remaining balance of Nation's Merrill Lynch account (at the time); and

WHEREAS, Resolution 08-07-12N noted that that the District I Community Center account was not restricted from taking in funds from other sources in addition to tribal NPD funds, or from Ho-Chunk Nation funds transferred from other accounts or portfolios; and

WHEREAS, the Legislative Finance Committee recently took the recommendation of the Nation's Treasurer as the surplus amounts of Fiscal Year 2013 Unexpended Funds, and appropriated \$1,000,000.00 in additional funds to be placed into the District 1 Community Center Capital Project restricted account.

NOW THEREFORE, BE IT RESOLVED that the Legislature authorizes transferring \$1 million (\$1,000,000.00) of Fiscal Year 2013 Unexpended Funds into the Capital Project restricted account created by Resolution 08-07-12N for the District 1 Community Center.

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 **13** constituting a quorum were present at a meeting duly called and convened and held that on the **3rd day of June, 2014**, adopted the foregoing resolution at said meeting by an affirmative vote of **13** 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

6.3.14
Date

