



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE REQUEST FOR ALLOCATION OF FUNDS TO PROCEED WITH THE FINANCING PORTION OF THE COMMUNITY REINVESTMENT PROJECT (Bond Counsel and Financial Advisor)

RESOLUTION 08-05-14B

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(l) of the Constitution grants the Legislature the power to enact laws to manage, lease, permit, or otherwise deal with the Nation's lands, interests in lands or other assets; 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 will incur pre-construction costs in the areas of tax-exempt bond counsel and financial advising in the estimated cost of \$420,000 for FY2015; and

WHEREAS, the Department of Treasury requests a true increase of the \$420,000 placed in Treasury's contract services line item (01.1200.0665.5900) in which the Legislature will authorize such costs to be paid from the Nation's General Fund; and

WHEREAS, if the true increase is approved, the Department of Treasury shall make payments for all invoices for work performed during the Nation's 2015 Fiscal Year pertaining to the services of the Nation's tax-exempt bond counsel, and the financial advisor. These payments may be paid via an electronic funds transfer at the discretion of the Treasurer.

NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, that the Nation reasonably expects to incur expenses for tax-exempt bond counsel and financial advising for capital projects at an estimated amount up to \$420,000 and authorizes a true increase for FY 2015 as requested by the Treasury Department.

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 12 constituting a quorum were present at a meeting duly called and convened and held that on the **5th day of August, 2014**, adopted the foregoing resolution at said meeting by an affirmative vote of 11 members, 0 opposed, and 1 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

8.5.14
Date