



## **HO-CHUNK NATION LEGISLATURE**

*Governing Body of the Ho-Chunk Nation*

### **HO-CHUNK NATION LEGISLATURE FISCAL YEAR 2014 UNEXPENDED FUNDS APPROPRIATION FOR THE HO-CHUNK NATION TRANSPORTATION BUDGET**

#### **RESOLUTION 10-21-14F**

**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 to authorize expenditures by law and appropriate funds to the various Departments in an annual budget; and

**WHEREAS,** Article V, Section 2(s) of the Constitution grants the Legislature the power to promote public health, education, charity, and such other services as may contribute to the social advancement of the members of the Ho-Chunk Nation; 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 forgoing list of powers; and

#### **Executive Offices**

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**WHEREAS,** the Legislature is authorized within the HCN Appropriations and Budget Process Act, § 7a(3), to appropriate funds identified by the Treasurer as Unexpended Funds from the previous fiscal year budget of the Nation; and

**WHEREAS,** the Treasurer of the Nation submitted an Unexpended Funds and Deficits Report to the Finance Committee, and discussed the same with the Committee, including an analysis of the reserves and cash flow needs of the Nation; and

**WHEREAS,** the manner in which the Legislature appropriates such Unexpended Funds is discretionary and guided by the Legislature's general considerations of the needs and interests of the Nation under tribal law and the Constitution.

**NOW THEREFORE, BE IT RESOLVED** that the Legislature, pursuant to its authority under the Constitution and the laws of the Nation, hereby authorizes and appropriates a portion of the previous Fiscal Year's Unexpended Funds as a discretionary payment for a true budget increase to the Nation's Transportation budget, specifically to the Vehicle Purchase line item for five TAU Handicap Van purchases in the total amount of \$174,550.00.

#### **CERTIFICATION**

I, the undersigned, as Secretary of the Ho-Chunk Nation Legislature, 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 on the **21<sup>st</sup> day of October, 2014**, that the foregoing resolution was adopted at said meeting by an affirmative vote of 11 members, 1 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.

*Kathyleen Lone Tree-Whiterabbit*  
Kathyleen Lone Tree-Whiterabbit, Tribal Secretary

10.21.14  
Date