



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE UNEXPENDED FUNDS APPROPRIATION GIFT TO TRIBAL MEMBER YOUTH

RESOLUTION 11-06-12D

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

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WHEREAS, the Legislative Finance Committee adopted a motion on October 22, 2012 to appropriate \$200 to tribal member youth (those who were under age 18 as of October 22, 2012) from the Unexpended Funds as a discretionary gift; and


WHEREAS, the Legislative Finance Committee met on October 31, 2012 and confirmed the motion adopted in Finance on October 22, 2012;


NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its authority under the Constitution and laws of the Nation, hereby authorizes and appropriates \$200 to tribal member youth (those who were under age 18 as of October 22, 2012) from the previous Fiscal Year's Unexpended Funds as a discretionary gift;

BE IT FURTHER RESOLVED that the Nation's Treasury Department is delegated the responsibility to assist with the processing and distribution of such funds and to ensure that such funds are distributed prior to November 22, 2012.

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 8 constituting a quorum were present at a meeting duly called and convened and held that on the **6th day of November, 2012**, adopted the foregoing resolution at said meeting by an affirmative vote of **7 members, 1 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