



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION ESTABLISHMENT OF CAPITAL PROJECTS ACCOUNT FROM SPECIAL REVENUE INVESTMENT ACCOUNT WITHIN HO-CHUNK NATION'S SHORT-TERM PORTFOLIO

RESOLUTION 12-09-14C

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, organized pursuant to the Indian Reorganization Act of 1934; and

WHEREAS, Article V, Section 2(a) of the Ho-Chunk Nation Constitution ("Constitution") grants 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(i) of the Constitution authorizes the Legislature to negotiate and enter into treaties, compacts, contracts, and agreements with other governments, organizations, or individuals; and

WHEREAS, Article V, Section 2(s) of the Constitution authorizes the Legislature the power to promote public health, education, charity and such other services as may contribute to the social advancement of the Tribal Members of the Ho-Chunk Nation; and

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WHEREAS, in accordance with the Ho-Chunk Nation Appropriations & Budget Process Act, the Legislature can designate capital projects to be budgeted on project basis with funds being carried over fiscal years until the project is completed or the project is terminated by Legislative action; and

WHEREAS, these funds are to be tracked in distinct capital project funds, separate from the General Fund, and budgeted based on the life of the project; and

WHEREAS, in accordance with the Ho-Chunk Nation Finance Manual, there should be separate and distinct funds for Special Revenue and Capital Projects; and

WHEREAS, these funds are to be accounted for with a separate set of self-balancing accounts and government resources are to be allocated and accounted for in these individual funds based on the purpose for which they are spent; and

WHEREAS, there currently exists one Special Revenue Investment Account within the Ho-Chunk Nation's Short-Term Portfolio; and

WHEREAS, the Legislature has determined that it is in the best interest of the Nation to open a separate Capital Project Account within the Ho-Chunk Nation's Short-Term Portfolio.

NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its constitutional authority, hereby authorizes the transfer of the most current balance for capital projects from the Special Revenue Investment Account within the Ho-Chunk Nation's Short-Term Portfolio to the new Capital Project Account within the Ho-Chunk Nation's Short-Term Portfolio.

CERTIFICATION

I, the undersigned, as Tribal Secretary of Ho-Chunk Nation, hereby certifies 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 9th day of December, 2014, that the foregoing resolution was adopted at said meeting by an affirmative vote of 9 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.

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

12.9.14
Date