



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

DEFEATED

HO-CHUNK NATION LEGISLATURE

LEGISLATIVE OVERTURN OF PRESIDENTIAL VETO 4.14.2022 REGARDING ADOPTION OF AMENDMENTS TO THE HO-CHUNK NATION GAMING ORDINANCE

RESOLUTION 04-21-22 C

- 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(f) of the Constitution grants the Legislature the power to set the salaries, terms and conditions of employment for all governmental personnel; and
- WHEREAS,** Article V, Section 2(h) of the Constitution authorizes the Legislature to enact all laws prohibiting and regulating conduct, and imposing penalties upon all persons within the jurisdiction of the 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 President of the Nation, under Article VI, Section 2(a) of the Constitution, has the power to execute and administer the laws of the Nation, including the right to veto within fourteen calendar days any action of the Legislature unless overturned by the Legislature pursuant to Article V, Section 2(y) of the Constitution; and
- WHEREAS,** Article V, Section 2(y) of the Constitution authorizes the Legislature to overturn any Presidential Veto, by a two-thirds (2/3) supermajority vote; and the Legislature must exercise its veto within fourteen (14) calendar days after the President notifies the Legislature of the veto; and the President shall serve notice of the veto to the Vice President, and in the absence of the Vice President notice will be provided to the full Legislature by placing the veto on the agenda under New Business at the next legislative meeting; and

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WHEREAS, on April 5, 2022, the Legislature adopted Resolution 4-05-22F, which adopted amendments to the Ho-Chunk Nation Gaming Ordinance, codified into Ho-Chunk law as 5 HCC §1; and

WHEREAS, on April 14, 2022, the Vice President was sent a Presidential Veto of Legislative Resolution 4-05-22F, via email from Nathaniel Longtail, Jr., who works in the Office of the President, which was a “Notice of Presidential Veto 4.14.2022 of Legislative Resolution 4-05-22F”; and

WHEREAS, Notice of Presidential Veto 4.14.2022 is a veto of Legislative Resolution 4-05-22F; and

WHEREAS, the effect of the Notice of Presidential Veto 4.14.2022 is an invalidation of Legislative Resolution 4-05-22F (the amendments to the Gaming Ordinance), unless the Legislature exercises its authority to overturn the veto pursuant to Article V, Section 2(y) of the Constitution; and

WHEREAS, pursuant to Article V, Section 2(y) of the Constitution, the Legislature now finds it appropriate to consider overturning the President’s Veto within the fourteen (14) calendar days provided;

NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, hereby overturns Presidential Veto 4.14.2022 by the two-thirds (2/3), supermajority vote noted below.

**VETO OVERTURN
CERTIFICATION**

I, the undersigned, as Tribal Secretary of Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of 13 seated members of whom 13 constituting a quorum were present at a meeting duly called and convened and held that on the 21st day of April, 2022, adopted the foregoing resolution at said meeting by an affirmative two-thirds (2/3), supermajority vote of 5 members, 3 opposed, and 5 abstaining, pursuant to the Article V, Section 2(a), (x) and (y) 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.


Rep. Stephanie Begay, Tribal Secretary

04.21.22
Date