



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE

CONTINUING RESOLUTION FOR FISCAL YEAR 2022-2023 DEPARTMENT OF JUSTICE, COMPLIANCE DIVISION AND GAMING COMMISSION BUDGETS

RESOLUTION 06-20-22 D

- 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
- WHEREAS,** Article V, Section 13 of the Constitution states that the Legislature shall enact an annual budget and that the budget shall include an appropriation of operating funds for each branch of the government; and that the Legislature shall not appropriate funds which have not been authorized by law; moreover, that no item shall be included in the budget if it is not authorized by law; and

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- WHEREAS,** on June 22, 2000, the Legislature enacted the *Appropriations and Budget Act*, codified as 2 HCC§ 4 (“Budget Act”), which provides policy and guidance in preparing budgets to ensure fiscal responsibility and integrity within the Nation; and
- WHEREAS,** the Budget Act sets forth a process for annual planning and approval of the fiscal year budgets for the Nation’s government, programs, and enterprises by the Legislature and Legislative Finance Commission; and
- WHEREAS,** the Section 5.g. of the Budget Act states the Finance Commission may refer a Continuing Resolution to the Legislature in order to fund a branch, department, or program budget for a period not to exceed ninety (90) days into the following fiscal year; and
- WHEREAS,** the Legislative Finance Commission had set a schedule for Special Meetings to consider the FY 2022-23 budget as part of the budget planning required by the Budget Act; and
- WHEREAS,** the Legislative Finance Commission conducted budget reviews for the upcoming fiscal year from March 3, 2022 to May 12, 2022 at Special Finance Commission meetings; and
- WHEREAS,** the Legislature placed amendments to the Nation’s *Gaming Ordinance* (5 HCC § 1) out for public comment through Resolution 04-21-22 E, which included the restructuring of the Gaming Commission and Compliance Division; and
- WHEREAS,** the Legislature is currently in the process of reviewing the comments submitted concerning the amendments to the *Gaming Ordinance* (5 HCC § 1) and plans to adopt the amendments prior to the beginning of the next fiscal year on July 1, 2022; and
- WHEREAS,** any amendments to the *Gaming Ordinance* (5 HCC § 1) are required to be approved by the National Indian Gaming Commission, which will not likely occur until after July 1, 2022; and
- WHEREAS,** the structural changes to the Gaming Commission and Compliance Division cannot take effect until the amendments to the *Gaming Ordinance* (5 HCC § 1) are approved by the National Indian Gaming Commission; and
- WHEREAS,** due the *Gaming Ordinance* (5 HCC § 1) amendments not taking effect until after the start of the Fiscal Year 2022-2023 budget, the Legislature wishes to adopt a Continuing Resolution for the affected budgets until such time that the *Gaming Ordinance* (5 HCC § 1) amendments are approved and go into effect, at which time a Fiscal Year 2022-2023 budget can be appropriated;

NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, hereby adopts this Continuing Resolution to fund the branch, department, program and/or enterprises noted below, starting on July 1, 2022, with the following appropriations:

HO-CHUNK NATION DEPARTMENT OF JUSTICE

1. The Nation's Department of Justice shall be funded with a specific appropriation and line-items as shown in the attached budgetary report, for the length of time specified below.

HO-CHUNK NATION COMPLIANCE DIVISION

1. The Nation's Compliance Division shall be funded with a specific appropriation and line-items as shown in the attached budgetary report, for the length of time specified below.

HO-CHUNK NATION GAMING COMMISSION

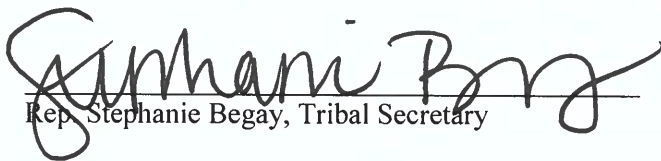
1. The Nation's Gaming Commission shall be funded with a specific appropriation and line-items as shown in the attached budgetary report, for the length of time specified below.

BE IT FURTHER RESOLVED that the appropriations made pursuant to this Continuing Resolution shall be in effect from July 1, 2022 to September 28, 2022; and

BE IT FURTHER RESOLVED that the Legislature and/or Legislative Finance Commission will continue to review the proposed budgets noted above for final recommendation and adoption within a budget bill for Fiscal Year 2022-23.

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 **11** constituting a quorum were present at a meeting duly called and convened and held that on the **20th day of June, 2022**, adopted the foregoing resolution at said meeting by an affirmative vote of **11 members, 0 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.


Rep. Stephanie Begay, Tribal Secretary

06.20.22
Date