



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

**HO-CHUNK NATION LEGISLATURE
LEGISLATIVE OVERTURN OF PRESIDENTIAL VETO 06.24.2022-1
REGARDING LEGISLATIVE RESOLUTION 6-20-22C
(FISCAL YEAR 2022-23 BUDGET BILL FOR ENTERPRISES)**

RESOLUTION 06-28-22 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(d) of the Constitution empowers the Legislature to authorize expenditures by law and appropriate funds to the various Departments in an annual budget; 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(i) of the Constitution allows the Legislature to negotiate and enter into treaties, compacts, contracts, and agreements with other governments, organizations, or individuals; 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,** under Article IV, Section 2 of the Constitution, the General Council delegated to only the Legislative Branch the authority to make laws and appropriate funds in accordance with Article V of the Constitution; and

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WHEREAS, under Article V, Section 13 of the Constitution, the Legislature shall enact an annual budget and no item shall be included in the budget if it is not authorized by law;

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

WHEREAS, on June 20, 2022, the Legislature adopted Resolution 6-20-22C, which approved the 2022-23 annual Fiscal Year budget for the Ho-Chunk Nation Enterprises (Gaming and Non-Gaming) as a Budget Bill; and

WHEREAS, on June 24, 2022, the Vice President was sent a Notice of Presidential Veto of Legislative Resolution 6-20-22C, via email from Nathaniel Longtail, Jr., who works in the Office of the President, which was a “Notice of Presidential Veto 06.24.2022-1 of Legislative Resolution 06.20.22C.”; and

WHEREAS, Notice of Presidential Veto 06.24.2022-1 is a veto of Legislative Resolution 6-20-22C; and

WHEREAS, the effect of the Notice of Presidential Veto 06.24.2022-1 is an invalidation of Legislative Resolution 6-20-22C (the Enterprise Budget Bill), 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 06.24.2022-1 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 **11** constituting a quorum were present at a meeting duly called and convened and held that on the **28th day of June, 2022**, adopted the foregoing resolution at said meeting by an affirmative two-thirds (2/3), supermajority vote of **10 members, 0 opposed, and 1 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

06.28.22
Date