



**HO-CHUNK NATION LEGISLATURE**  
*Governing Body of the Ho-Chunk Nation*

**HO-CHUNK NATION LEGISLATURE**  
**FISCAL YEAR 2023-2024**  
**BUDGETARY SPENDING LIMITS**

**RESOLUTION 02-14-23 A**

- 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(e) of the Constitution grants the Legislature the power to raise revenue, including the power to levy and collect taxes and license fees; and
- WHEREAS,** Article V, Section 2(f) of the Constitution authorizes the Legislature to set the salaries, terms and conditions of employment for all governmental personnel; 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,** the Legislature first adopted the Nation’s *Appropriation and Budget Process Act* (“Budget Act”) (2 HCC §4) by Resolution 6/22/00F and has amended the law from time to time; and
- WHEREAS,** since its enactment, the Legislature has amended the Budget Act several times to provide the Ho-Chunk Nation branches of government policy and guidance in preparing budgets to ensure fiscal responsibility and integrity within the Nation; and
- WHEREAS,** Section 5c of the Budget Act requires the Finance Commission of the Legislature to, not later than February 15, identify spending limits for the succeeding fiscal year through the adoption of a budget resolution on each and every branch of the Nation’s government, along with budget priorities, in order to assist in the development of a timely and responsible budget bill/act(s); and
- WHEREAS,** the Legislative Finance Commission met on February 8, 2023, and identified spending limits for Fiscal Year (“FY”) 2023-24 for each branch of the Nation’s government, which has been referred to the Legislature for adoption by resolution; and
- WHEREAS,** the Legislature finds it appropriate to set the spending limits, on a tentative basis, as follows below, based on the information presented by the Executive Branch up through the Finance Commission meeting on February 8, 2023; and
- WHEREAS,** the spending limits recommended by the Finance Commission and set by the Legislature, on a tentative basis, are based on percentages that are driven from prior year activity and then applied to the projected available Net Gaming Revenue; and
- WHEREAS,** the Legislature wishes to set the FY 2023-24 spending limits on a tentative basis in order to provide the Executive Branch with an opportunity to further review the Revenue Projections, and in order to reserve the ability of the Legislature to continually review and assess the final Projections and budget numbers, leading up to the adoption of final Budget Bills; and
- WHEREAS,** the Legislature sets the following spending limits, on a tentative basis, while reminding each Branch of the Nation’s Government that they must submit a proposed annual budget for FY 2023-24 to the Legislature pursuant to Section 5 of the Budget Act, and also including a detailed justification for continued or decreased funding for such services they propose and contain a listing of budget priorities for the upcoming fiscal year, including goals and objectives in a brief summary of the differences between their proposed and current budget; and
- WHEREAS,** pursuant to the Budget Act, each Branch of the Nation’s Government must submit this budget priority information by the dates listed on Section 5.b; and
- WHEREAS,** since the Legislative Finance Commission reserves the discretion under the Budget Act to call special meetings to review proposed budgets, the Commission will notify the Branches of the meeting schedule it intends to implement; and
- WHEREAS,** due to critical funding constraints, and the need for reasonable budgeting, the Legislature finds it appropriate to set spending limits for FY 2023-24 at levels noted below; and

**WHEREAS,** the spending limits stated below are preliminary in nature and subject to ongoing analysis, revision, and final approval, during the Legislative budget process and in the final Budget Bills approved by the Legislature, as it performs its constitutional obligations; and

**WHEREAS,** the Legislature reserves the authority to approve final budgetary appropriations in an annual budget, consistent with the Constitution and tribal law, with proper consideration given to the financial obligations of the Nation, as well as any revenue-generating opportunities that may enhance the well-being of the Nation and its membership;

**NOW THEREFORE, BE IT RESOLVED** that the Legislature, pursuant to its Constitutional authority, and the Budget Act, sets the following spending limits, on a tentative basis, and subject to final appropriation in a budget bill, for the 2023-24 Fiscal Year for the Nation’s branches of government as follows:

<b>Executive Branch</b>	\$44,519,818
<b>General Council Branch</b>	\$500,000
<b>Judiciary Branch</b>	\$1,957,150
<b>Legislative Branch</b>	\$143,230,459
(includes Gaming Commission, General Fund, Health Insurance, General Welfare along with mandatory obligations for Clean Water Loan and Beloit Land principal and interest of \$700,071 and Surveillance lease principal and Interest of \$13,473,582)	
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<b>Total Spending Limits</b>	
\$204,381,080	

**BE IT FURTHER RESOLVED,** that the Legislature, pursuant to the Budget Act, hereby establishes the following budget priorities in order:

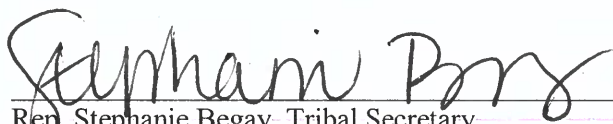
- 1) Addiction/Mental Health
- 2) Housing
- 3) General Welfare
- 4) Economic Diversification/Development/Beloit/Cannabis/Renewable Energy
- 5) Capital Improvements
- 6) Grant Writers
- 7) Language
- 8) Higher Education

**BE IT FURTHER RESOLVED,** that pursuant to the Budget Act, the Nation’s Branches of Government shall submit their proposed annual FY 2023-24 budgets to the Legislative Finance Commission in compliance with the requirements of the law, and this Resolution, including statements of program goals, budget priorities, and justifications for any decreases; and

**BE IT FURTHER RESOLVED** that as the budget appropriation process continues for FY 2023-24, the Legislature will coordinate and discuss with the Executive Branch the potential budgetary amount to appropriate for Executive Branch Capital funding; and that the Legislature reserves the authority to appropriate funds in a final FY 2023-24 budget bill that includes such Capital funding.

**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 **13** constituting a quorum were present at a meeting duly called and convened and held that on the **14<sup>th</sup> day of February, 2023**, adopted the foregoing resolution at said meeting by an affirmative vote of **6 members, 0 opposed, and 7 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

02.14.23  
Date