



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

**HO-CHUNK NATION LEGISLATURE**  
**LEGISLATIVE OVERTURN OF PRESIDENTIAL VETO 02.16.2023**  
**REGARDING LEGISLATIVE RESOLUTION 02-14-23E**  
**(RESCISSION AND RESTATEMENT OF DECLARATION OF EMERGENCY)**

**RESOLUTION 02-21-23 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 allows the Legislature to review any action taken by virtue of its delegation of power to the Executive Branch; and

**WHEREAS**, Article V, Section 2(f) of the Constitution empowers the Legislature 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(l) of the Constitution allows the Legislature 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(s) of the Constitution empowers the Legislature to promote public health, education, charity, and such other services as may contribute to the social advancement of the members of the Ho-Chunk Nation;

**Executive Offices**

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**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

**WHEREAS**, on February 14, 2023, the Legislature adopted Resolution 02-14-23E, which rescinded and restated Resolution 4-28-20B, which was a previous Declaration of State of Emergency for the Ho-Chunk Nation in response to COVID-19; and

**WHEREAS**, on February 16, 2023, the President vetoed Resolution 02-14-23E, when the Vice President was sent a Notice of Presidential Veto 02.16.2023 of Legislative Resolution 02-14-2023E, via email from Nathaniel Longtail, Jr., who works in the Office of the President, said document labeled as a “Notice of Presidential Veto 02.16.2023 of Legislative Resolution 02.14.2023E”; and

**WHEREAS**, the effect of the Notice of Presidential Veto 02.16.2023 is an invalidation of Legislative Resolution 02-14-23E, unless the Legislature exercises its authority to overturn the veto pursuant to Article V, Section 2(y) of the Constitution; and

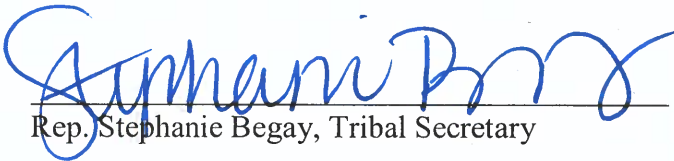
**WHEREAS**, pursuant to Article V, Section 2(y) of the Constitution, the Legislature now finds it appropriate to consider overturning the President’s Veto within the fourteen (14) calendar days provided; and

**NOW THEREFORE, BE IT RESOLVED** that the Legislature, pursuant to its Constitutional authority, hereby overturns Presidential Veto 02.16.2023 by the two-thirds (2/3), supermajority vote noted below.

**BE IT FURTHER RESOLVED** that by adoption of this veto overturn resolution, Resolution 02-14-23E goes back into effect as of today’s date.

**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 **21<sup>st</sup> day of February, 2023**, adopted the foregoing resolution at said meeting by an affirmative two-thirds (2/3), supermajority vote of **11 members, 0 opposed, and 0 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

02.21.23  
Date