



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE AUTHORIZATION FOR ASSET DISPOSAL AND CONTRIBUTION TO THE POTCH-CHEE-NUNK YOUTH COUNCIL & ONONDAGA NATION

RESOLUTION 02-21-12 F

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; and Department established by the Legislature shall be administered by the Executive; and 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(i) of the Constitution grants the Legislature the power to negotiate and enter into treaties, compacts, contracts, and agreements with other governments, organizations, or individuals; 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

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WHEREAS, Article V, Section 2(s) of the Constitution grants the Legislature the power 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; 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, at the District 3 Legislative meeting in Wittenberg, WI, the tribal membership adopted a motion to have the Legislature donate twelve (12) complete computers to the Potch-Chee-Nunk Youth Council, which would in-turn be donated to the Onondaga Nation; and

WHEREAS, the District 3 Wittenberg Area motion was referred to the full Legislature, which adopted said motion by duly recorded vote in Session on December 22, 2011; and

WHEREAS, the Legislature finds there is a need by the Onondaga Nation for computer hardware for their tribal needs, and that the Potch-Chee-Nunk Youth Council will be assisted by allowing them to carry the Ho-Chunk Nation's contribution to the Onondaga Nation (of surplus, former Ho-Chunk Nation's computers and related equipment); and

WHEREAS, the Legislature, based upon its information and understanding, finds that there are at least 12 surplus computers currently held by the Nation's IT Department, which are no longer needed by the tribe;

NOW, THEREFORE, BE IT RESOLVED, the Legislature authorizes the transfer and disposal of such computers by the Executive Branch, IT department and Treasury Department, to the Potch-Chee-Nunk Youth Council, as a disposal of non-gaming assets under the Nation's Asset Management Policy Manual; and

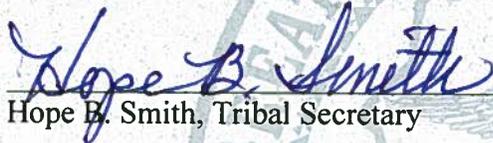
BE IT FURTHER RESOLVED that the Legislature specifically authorizes the disposal of 12 computers, with monitor, hard drive, mouse, and all supporting software, including the current version of Windows operating system and Microsoft Office Suite 2001, by the IT Department as a contribution ultimately to the Onondaga Nation; and

BE IT FURTHER RESOLVED that to the extent such a disposal and contribution is subject to favorable write-off by the Nation, the Treasury Department is authorized to pursue such action; and

BE IT FURTHER RESOLVED that the Potch-Chee-Nunk Youth Council is authorized to receive and distribute said computers and related equipment, but must confirm receipt and delivery.

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 **21st day of February, 2012**, Adopted the foregoing resolution at said meeting by an affirmative vote of **8 members, 3 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.


Hope B. Smith, Tribal Secretary


Date

