



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE GENERAL FUND BUDGET MODIFICATION DECREASE/INCREASE RESOLUTION 4-20-10 P

- 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(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(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,** in relevant part the Third Amendment to the Nation's Compact with the State of Wisconsin provides:
- Payment to Counties. Commencing May 1, 2010 and continuing thereafter for as long as the Nation is required to make the Annual Payment, the Nation shall deduct from its Annual Payment One Thousand Dollars (\$1,000.00) paid to each county for every acre of land owned by the United States of America in trust for the Nation as of the effective date of this Compact and the Second Amendment which is located within the county's jurisdiction. The payment made by the Nation to the county(s) under this Paragraph, may be expended by each county for any purpose as determined by each county in its sole discretion, except that the county cannot use any of the funds paid to it under this Paragraph that would diminish the Nation's governmental jurisdiction or have an adverse financial impact on the Nation ("Prohibited Purpose"). If the county uses the funds paid to it by the Nation for a Prohibited Purpose, the Nation shall cease making payments to said county and shall instead pay said county's payment to the State; and
- WHEREAS,** as a result of this provision within the third amendment to the compact the Legislature has entered into intergovernmental agreements with various Wisconsin Counties; and
- WHEREAS,** in order to receive the corresponding decrease in payment to the State of Wisconsin and pursuant to the terms of these intergovernmental agreements the Nation will need to make its first payment to these various Wisconsin Counties by April 22, 2010; and
- WHEREAS,** the March 31, 2010 Finance Committee meeting minutes on page 7 provide "Motion . . . to APPROVE the creation of a line-item in the General Fund to pay the respective counties the funds that will be allocated from the Gaming Compact payment to the State

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of Wisconsin." As a result the line-item Aide to Local Government Account Number 01-1900-670-7000 was created.

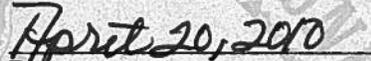
NOW THEREFORE BE IT RESOLVED, that the Legislature, pursuant to its Constitutional authority, approves Budget Decrease 0100-04-10-D01 in the amount of \$2,176,809 and a Budget Increase 1900-04-10-I04 in the amount of \$2,176,809.

BE IT FURTHER RESOLVED, that the Legislature, pursuant to its Constitutional authority, make the necessary payments per the 3rd Amendment to the Ho-Chunk Nation Compact.

CERTIFICATION

I, the undersigned, as Tribal Secretary of Ho-Chunk Nation, hereby certifies that the Legislature of the Ho-Chunk Nation, composed of 13 members of whom 10 constituting a quorum were present at a meeting duly called and convened and held that on the 20th day of April, 2010, that the foregoing resolution was adopted at said meeting by an affirmative vote of 9 members, 0 opposed, and 1 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

