



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

**HO-CHUNK NATION LEGISLATURE
RESCISSION OF RESOLUTION 5-20-08-C
BADGER ARMY AMMUNITION PLANT
ORBITEC NEGOTIATING TEAM APPOINTMENT
RESOLUTION 7-21-09 L**

- 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, organized pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS,** Article V, Section 2(a) of the Constitution grants the 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(k) of the Constitution grants the Legislature the power to acquire or purchase lands for the benefit of the Nation and its members; and
- WHEREAS,** Article V, Section 2(1) 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(r) of the Constitution grants the Legislature the power to protect and foster Ho-Chunk religious freedom, culture, language, and traditions; and
- WHEREAS,** the Ho-Chunk Nation is a stakeholder in a federal property disposal action of land at the Badger Army Ammunition Plant (BAAP) owned by the U.S. Department of Army; and
- WHEREAS,** Orbital Technologies Corporation ("Orbitec") currently operates research and development activities via lease with the U.S. Army on Parcel O which lies on the Nation's parcel; and
- WHEREAS,** Orbitec seeks a lease with the Ho-Chunk Nation to maintain its research and development activities on Parcel O post-transfer; and
- WHEREAS,** the Nation recognizes that a lease with Orbitec may provide a significant benefit to the tribal membership; and
- WHEREAS,** it is in the best interests of the Ho-Chunk Nation to authorize the appropriate representatives to carry out timely negotiations on matters affecting the Nation's economic and planning interests; and
- WHEREAS,** the Ho-Chunk Nation Legislature adopted Resolution 5-20-08-C which appointed the District IV Ho-Chunk Legislators to the Negotiating Team authorized to negotiate a lease with Orbitec; and
- WHEREAS,** Resolution 5-20-08-C is entitled: "BADGER ARMY AMMUNITION PLANT ORBITEC NEGOTIATING TEAM APPOINTMENT"; and

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WHEREAS, subsequently, the Ho-Chunk Nation membership adopted new legislative districts in 2009; and

WHEREAS, the Badger Ammunition Plant now lies in District II of the 2009 Ho-Chunk Legislative Districts.

NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its constitutional authority, hereby rescinds Resolution 5-20-08-C Badger Army Ammunition Plant Orbitec Negotiating Team Appointment.

CERTIFICATION

I, the undersigned, as Tribal Secretary for the Ho-Chunk Nation, hereby certify 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 on the 21st day of July, 2009, that the foregoing resolution was adopted at said meeting by an affirmative vote of 7 members, 0 opposed, and 3 abstaining, pursuant to the authority of 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 said 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
Hope B. Smith, Tribal Secretary

7-21-09
Date

