



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE QUICK PASSAGE AMENDMENT TO THE *LEGISLATIVE ORGANIZATION ACT (2 HCC § 11)* TO CREATE A LEGISLATIVE COMMITTEE ON HEALTH, SOCIAL SERVICES AND INSURANCE

RESOLUTION 03-19-13A

- 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 Ho-Chunk Nation Constitution ("Constitution") grants 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(g) of the Constitution grants the Legislature the authority to set its own procedures, select its officers, and to enact laws governing attendance of its members, including penalties for absences; and
- 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,** the Ho-Chunk Nation Legislature passed the *Legislative Organization Act (2 HCC § 11)*, which was last amended on May 3, 2011; and
- WHEREAS,** the *Legislative Organization Act* provides the procedures for enacting or amending a Ho-Chunk Nation law; and
- WHEREAS,** Section 30 of the *Legislative Organization Act* provides Quick Passage Procedures; and

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WHEREAS, under certain limited circumstances, Section 30 provides “[t]he Legislature may vote to immediately pass Legislation”; and

WHEREAS, Section 30 of the *Legislative Organization Act* in relevant part provides:

(2) For the Legislation to be considered for Quick Passage the Legislature must conclude:

(a) The Legislation must take effect immediately to address a situation that:

1 Adversely affects the health, safety, welfare, or economic well-being of the Nation;

2 Adversely affects a person or multiple people for which Legislative relief is deemed appropriate and necessary by the Legislature;

3 Is internal to the operation of the Government; or

4 Impacts negotiations with a sovereign entity; and

(b) Adherence to the Normal Legislation Process outlined in Section 31 would result in a delay that would adversely impact the Nation, a Member of the Nation, or Members of the Nation; and

WHEREAS, Section 30 of the *Legislative Organization Act* provides “[f]or the Legislation to immediately become the law of the Nation it will require an affirmative vote of more than two-thirds (2/3) of Legislators present at the Legislative Session.”; and

WHEREAS, since its enactment, the Legislature has amended the Legislative Organization Act (“Act”) several times to accommodate the needs of the Legislature and the Ho-Chunk Nation in operating an effective government and meeting the needs of the Nation’s members; and

WHEREAS, the Legislature has placed the Act out for forty-five day review and public comment several times, including through Resolution 8-23-11B; and

WHEREAS, the Legislature has held internal workgroup meetings to review and discuss the Act, including any potential amendments, on September 9, 2011, September 23, 2011, October 11, 2011, December 13, 2011, January 13, 2012, and October 4, 2012; and

WHEREAS, as the Legislature still has the Act pending before it, the Legislative Administration Committee adopted a motion on February 7, 2013 “for the full Legislature to develop a sub-committee of health, social services and insurance,” which was later ratified by the full Legislature; and

WHEREAS, the Legislature finds it appropriate to create a Standing Legislative Committee that focuses on the Nation’s needs, programs and issues in the areas of Health, Social Services and Insurance, in order to better serve the Nation’s members and service areas; and

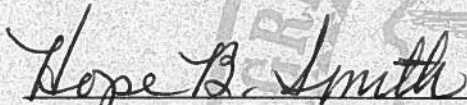
WHEREAS, the Legislature deems finds it appropriate to establish a new Legislative Subcommittee on Health, Social Services and Insurance in order to assist the Nation, and Legislature, in its effort to assist and enhance the Nation’s health, social services and insurance programs, while also maintaining a structure for the Legislature to receive updates from the these same tribal departments and programs; and

WHEREAS, the Legislature deems it necessary to utilize the Quick Passage procedure to create the new Subcommittee, thereby amending the Legislative Organization Act, in order to address situations that might adversely affect the health, safety, welfare, or economic well-being of the Nation's Health, Social Services and Insurance services and is internal to the operation of the Government;


NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, amends Chapter III of the Legislative Organization Act, by Quick Passage, and establishes a Health, Social Services and Insurance Subcommittee as a new Standing Legislative Committee, as more fully set forth in the attached revisions.

CERTIFICATION

I, the undersigned, as Tribal Secretary, 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 on the **19th day of March, 2013**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **8 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, Tribal Secretary



Date