



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

**HO-CHUNK NATION LEGISLATURE
QUICK PASSAGE AMENDMENT OF
LEGISLATIVE ORGANIZATION ACT (2 HCC §11):
ELIGIBILITY OF LEGISLATORS TO SERVE AS
OFFICERS OF LEGISLATIVE STANDING COMMITTEES**

RESOLUTION 06-18-13K

- 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; 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

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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

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 parts 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, the Legislature recognizes that with the recent elections there will be a large turnover in Legislators resulting in few legislators being eligible to serve as Standing Committee Officers under the current *Legislative Organization Act*; and

WHEREAS, the Legislature finds that Quick Passage is necessary to take immediate action to address the issue prior to the new Legislators’ terms beginning; and

WHEREAS, the Legislature finds that Quick Passage is appropriate given that the eligibility of Legislative Standing Committee Officers is internal to the operation of the Government;

NOW, THEREFORE, BE IT RESOLVED, that the Legislature, pursuant to its Constitutional authority, hereby adopts by Quick Passage the following amendment to the *Legislative Organization Act* (2 HCC § 11) addressing eligibility of Legislators to serve as Presiding Officer and Second Presiding Officer of Legislative Standing Committees.

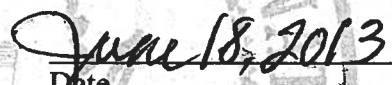
2 HCC §11.14.c. Eligibility Requirement. All Legislators are A-Legislator ~~must have been on the Legislature for at least one (1) year before being eligible~~ to be selected as a Presiding Officer or Second Presiding Officer.

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 **10** constituting a quorum were present at a meeting duly called and convened and held on the **18th day of June, 2013**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **7 members, 0 opposed, and 3 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

