



## **HO-CHUNK NATION LEGISLATURE**

*Governing Body of the Ho-Chunk Nation*

### **HO-CHUNK NATION LEGISLATURE DESIGNATION OF AT WILL STATUS FOR GENERAL COUNCIL ADVOCATE POSITION**

#### **RESOLUTION 07-23-13A**

- 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, 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(f) of the Constitution grants the Legislature the power to set the salaries, terms and conditions of employment for all governmental personnel; 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,** Article IV, Section 3(g) of the Constitution authorizes the General Council Agency to select, hire, manage and supervise General Council Branch personnel to accomplish the tasks mandated by the General Council; and
- WHEREAS,** the General Council Agency was established by the Nation's General Council, and has powers established by the Constitution and its Bylaws; and
- WHEREAS,** the General Council Agency requested that the Legislature consider the designation of the General Council Advocate position as an At-Will job title with the Nation; and

#### **Executive Offices**

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**WHEREAS,** the Legislative Administration Committee adopted a motion to refer this At-Will issue to the full Legislature for consideration;

**NOW THEREFORE, BE IT RESOLVED** that the Legislature, pursuant to its Constitutional authority to set the terms and conditions of employment, hereby designates the General Council Advocate position as an At-Will Employee of the Nation, as that term is defined under the Nation's Employment Relations Act;

**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 **13** constituting a quorum were present at a meeting duly called and convened and held that on the **23<sup>rd</sup> day of July, 2013**, adopted the foregoing resolution at said meeting by an affirmative vote of **13 members, 0 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.

Kathleen Lone Tree-Whiterabbit  
Kathleen Lone Tree-Whiterabbit, Tribal Secretary

7.23.13  
Date