



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

**HO-CHUNK NATION LEGISLATURE
RESCIND AND RESTATE RESOLUTION 07-09-13M
ESTABLISHMENT OF LEGISLATIVE WORKGROUP
TO REVIEW THE
ELECTION CODE**

RESOLUTION 09-03-13H

- WHEREAS,** on November 1, 1994, the United States Secretary of Interior approved a new Constitution of the Ho-Chunk Nation, formerly known as the Wisconsin Winnebago Nation; 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 of the Ho-Chunk Nation grants the Legislature 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 (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,** the Ho-Chunk Nation *Legislative Organization Act*, 2 HCC §11, ("LOA") provides in Section 10 that an internal Work Group or Task Force may be established in order to assist the Legislature by providing information necessary to carry out Legislative law-making and oversight functions; and
- WHEREAS,** the Nation's *Open Meetings Act*, 2 HCC §2, contemplates that a Work Group or Task Force will be used as a temporary, short-term ad hoc body established by a governmental entity for a focused effort on a specific issue; and
- WHEREAS,** the LOA does not restrict Legislator(s) participation in a Ho-Chunk government task force(s) as an ex officio member when appointed by the Legislature; and
- WHEREAS,** the Legislature deems it necessary and appropriate to review and update Title 2 – Government Code, Section 6 – ELECTION CODE; and

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WHEREAS, the time needed to review and update the ELECTION CODE is more appropriate for a Legislative Workgroup to focus their efforts upon, with the inclusion of appropriate Executive Departments, Legislators and Legislative Staff; and

WHEREAS, the Legislative Workgroup will focus on the ELECTION CODE and will have the flexibility to meet and make revisions and, ultimately, recommendations to the Legislative Administration Committee or full Legislature;

NOW THEREFORE, BE IT RESOLVED, That the Ho-Chunk Nation Legislature, pursuant to its constitutional authority, hereby rescinds Resolution 07-09-13M and restates that the Legislature authorizes the creation of an ELECTION CODE Workgroup consisting of these members: any interested Legislators, assigned Legislative Staff; Executive Branch staff, as determined by the President; the Ho-Chunk Nation Election Board; also, any other staff, employees, or Ho-Chunk Nation Board Members invited by the Legislative Sponsor; and

BE IT FURTHER RESOLVED That the ELECTION CODE Workgroup shall report on their activity and progress to the Legislative Administration Committee and to the full Legislature on a monthly basis or upon request; and

BE IT FURTHER RESOLVED That the ELECTION CODE Workgroup shall submit proposed amendments to the ELECTION CODE to the Legislative Administration Committee or as otherwise directed by motion of the Administration Committee or full Legislature; and

BE IT FURTHER RESOLVED That the Legislative Sponsor shall determine who shall take minutes of meetings for the ELECTION CODE Workgroup, said minutes being available for members of the workgroup within 5 business days of each meeting; and

BE IT FURTHER RESOLVED, that the workgroup created herein shall not be considered a Public Body under the HCN Open Meetings Act and shall be not be required to adhere to Quorum requirements; and

BE IT FURTHER RESOLVED, that the ELECTION CODE Workgroup is authorized to begin meeting after adoption of this resolution.

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 12 constituting a quorum were present at a meeting duly called and convened and held on the 3rd day of September, 2013, that the foregoing resolution was adopted at said meeting by an affirmative vote of 12 members, 0 opposed, and 0 abstaining, pursuant to the authority of Article V, Section 2(a) through (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.

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

9.3.13
Date