



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE ADOPTION OF AMENDMENTS TO THE DEPARTMENT OF LABOR ESTABLISHMENT AND ORGANIZATION ACT OF 2001 (1 HCC § 9)

RESOLUTION 09-09-14J

WHEREAS, on November 1, 1994, the Secretary of the Interior approved a new Constitution for 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 and established pursuant to the Indian Reorganization Act of 1934; and

WHEREAS, the Legislature of the Ho-Nation ("Legislature") is the duly constituted governing body of the Nation pursuant to the Constitution ("Constitution"); 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(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; and that any Department established by the Legislature shall be administered by the Executive; further, that the Legislature reserves the power to review any action taken by virtue of such delegated power; and

WHEREAS, Article V, Section 2(h) of the Constitution grants the Legislature the power to enact all laws prohibiting and regulating conduct, and imposing penalties upon all persons within the jurisdiction of the Nation; 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 January 21, 2014; and

WHEREAS, the *Legislative Organization Act* provides the procedures for enacting or amending a Ho-Chunk Nation Law; and

WHEREAS, the Legislature adopted the Nation's Department of Labor Establishment and Organization Act (1 HCC § 9) for the through Resolution 03-07-01G, and set various terms and conditions for the Department, as well as granted a limited delegation of authority; and

WHEREAS, the Labor Department (Act) Review Committee recently met several times to review the Act, discuss and update any necessary revisions to the Act to improve its coverage and application for the Nation and all its entities; and

WHEREAS, the Review Committee included the Department of Labor Strategic Planning Committee and the Ho-Chunk Nation Planning Division; and

WHEREAS, the Department of Labor Strategic Planning Committee has recommended changes to the Act to provide an updated Act to better fit the present needs of the Ho-Chunk Nation; and

WHEREAS, the Legislature passed resolution 07-08-14Z to place Amendments to the Ho-Chunk Department of Labor Establishment and Organization Act (1 HCC § 9) out for 45-day comment; and

WHEREAS, no comments were received on the proposed Amendments to the Ho-Chunk Department of Labor Establishment and Organization Act (1 HCC § 9); and

WHEREAS, the legislative procedure for drafting legislation has been met and the Amendments to the Ho-Chunk Department of Labor Establishment and Organization Act (1 HCC § 9) are ready for passage;

NOW THEREFORE, BE IT RESOLVED, that the Ho-Chunk Nation Legislature, pursuant to its constitutional authority, hereby amends and restates the Department of Labor Establishment and Organization Act (1 HCC § 9).

CERTIFICATION

I, the undersigned, as Tribal Secretary for the Ho-Chunk Nation Legislature, 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 9th day of September, 2014, adopted the foregoing resolution at said meeting by an affirmative vote of 11 members, 0 opposed, and 0 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.

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

9.9.14
Date

