



## HO-CHUNK NATION LEGISLATURE

*Governing Body of the Ho-Chunk Nation*

### HO-CHUNK NATION LEGISLATURE RESTATEMENT OF RESOLUTION 05-03-11E AND ESTABLISHMENT OF LEGISLATIVE WORKGROUP TO ADDRESS THE IMPLEMENTATION OF THE AFFORDABLE CARE ACT

#### RESOLUTION 09-17-13 F

- 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(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 (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 *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

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**WHEREAS,** on March 23, 2010, President Obama signed into law a comprehensive health care reform bill, the Patient Protection and Affordable Care Act (PPACA; P.L. 11-148) (hereinafter "Affordable Care Act"); and

**WHEREAS,** the Legislature deems it necessary and appropriate to form a Workgroup consisting of employees, staff and officials from the Executive Branch and Legislative Branch in order to review the Affordable Care Act and its impacts on the Ho-Chunk Nation, and make adequate preparations for the Nation as the federal law is implemented; and

**WHEREAS,** a Workgroup focused on the Affordable Care Act and the impacts on the Nation will have flexibility to meet and offer recommendations to the Legislature or President in order to best prepare the Nation for the law's implementation;

**NOW THEREFORE, BE IT RESOLVED,** that the Ho-Chunk Nation Legislature, pursuant to its constitutional authority, hereby restates Resolution 05-03-11E and authorizes the creation of an Affordable Care Act Workgroup consisting of these members: any interested Legislators, assigned Legislative Staff; Executive Branch staff, as determined by the President; also, any other staff, employees, or community members invited by the Legislative Sponsor; and

**BE IT FURTHER RESOLVED** that the Affordable Care Act Workgroup shall report on their activity and progress to the full Legislature on a semi-monthly basis or upon request; and

**BE IT FURTHER RESOLVED** that the Legislative Sponsor shall determine who shall take minutes of meetings for the Affordable Care Act 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 Affordable Care Act 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 8 constituting a quorum were present at a meeting duly called and convened and held on the 17<sup>th</sup> day of September, 2013, that the foregoing resolution was adopted at said meeting by an affirmative vote of 8 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

9.17.13  
Date