



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE

ESTABLISHMENT OF BUSINESS LEASE WORKGROUP

RESOLUTION 09-13-22 D

- 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 Tribe; 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(d) of the Constitution grants the Legislature the power to authorize expenditures by law and appropriate funds to the various Departments in an annual budget; 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(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(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 9 that a Workgroup may be established in order to informally address a topic or issue in greater depth; and
- WHEREAS,** the Nation’s *Open Meetings Act*, 2 HCC § 2, contemplates that a Workgroup 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 workgroups as an ex officio member when appointed by the Legislature; and

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W9814 Airport Road P.O. Box 667 Black River Falls, WI 54615
(715) 284-9343 Fax (715) 284-3172 (800) 294-9343

WHEREAS, the Legislature wishes to establish a Workgroup to address the issue of leasing facilities on the Nation's property and within its jurisdiction; and

WHEREAS, the Legislature deems it necessary and appropriate to form a Workgroup consisting of any interested Legislators, assigned Legislative employees and staff, and employees, staff and officials from the Executive Branch, including but not limited to the Department of Administration, Division of Planning and Division of Realty, to address the issue of leasing facilities on the Nation's property and within its jurisdiction;

NOW THEREFORE, BE IT RESOLVED, that the Ho-Chunk Nation Legislature, pursuant to its Constitutional authority, hereby authorizes the establishment of a Business Lease Workgroup consisting of: any interested Legislators; assigned Legislative Staff; Executive Branch staff, including but not limited to the Department of Administration, Division of Planning and Division of Realty, as determined by the President; and any other staff, employees, or community members invited by the Legislative Sponsor(s);

BE IT FURTHER RESOLVED that there shall be a Legislator, or Legislators, who lead and direct the Workgroup, organize its meetings, and take responsibility for reporting on its activities;

BE IT FURTHER RESOLVED that the Workgroup shall report on their activity and progress to the Legislature;

BE IT FURTHER RESOLVED that the Workgroup created herein shall not be considered a Public Body under the Nation's Open Meetings Act and shall be not be required to adhere to quorum requirements;

BE IT FURTHER RESOLVED that the 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 **11** constituting a quorum were present at a meeting duly called and convened and held on the **13th day of September, 2022**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **10 members, 1 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.


Rep Stephanie Begay, Tribal Secretary

09.13.22
Date