



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE QUICK PASSAGE PROCEDURE TO AMEND THE FINANCE ORDINANCE (5 HCC § 5)

RESOLUTION 02-14-23 B

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(d) of the Constitution grants the Legislature the power to authorize expenditures by law and appropriate funds to various Departments in an annual budget; and

WHEREAS, Article V, Section 2(l) of the Constitution grants the Legislature the power to enact laws to manage, lease, permit, or otherwise deal with the Nation's lands, interests in lands or other assets; 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 Legislature passed the LEGISLATIVE ORGANIZATION ACT, 2 HCC § 11 ("LOA"), which has been updated and amended from time to time; and

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WHEREAS, the LOA provides the procedures for enacting or amending a Ho-Chunk Nation law; and

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WHEREAS, Section 44 of the LOA provides Quick Passage Procedures for such changes to the Nation's law; and

WHEREAS, under certain limited circumstances, Section 44 provides “[t]he Legislature may vote to immediately pass Legislation”; and

WHEREAS, Section 44 of the LOA in relevant part, provides:

“(2) For the Legislation to be considered for Quick Passage the Legislature must conclude:

(a) The Legislation must take effect immediately to address a situation that:

1 Adversely affects the health, safety, welfare, or economic well-being of the Nation;

2 Adversely affects a person or multiple people for which Legislative relief is deemed appropriate and necessary by the Legislature;

3 Is internal to the operation of the Government; or

4 Impacts negotiations with a sovereign entity; and

(b) Adherence to the Normal Legislation Process outlined in Section 44 would result in a delay that would adversely impact the Nation, a Member of the Nation, or Members of the Nation”; and

WHEREAS, Section 44 of the LOA provides “[f]or the Legislation to immediately become the law of the Nation it will require an affirmative vote of two-thirds (2/3) of the full Legislature seated in office”; and

WHEREAS, the Finance Ordinance (5 HCC § 5) was first adopted by the Wisconsin Winnebago Business Committee, then enacted by the Nation's Legislature on April 15, 2003, and codified into the Nation's Code as law, which was last amended on January 26, 2022; and

WHEREAS, at the October 18, 2022 Legislative meeting motions from District 2, 3 and 4 area meetings to amend the Finance Ordinance to provide Election Board members with a \$200 stipend on Election Days were referred to Legislative Finance Commission; and

WHEREAS, at the January 28, 2023 Legislative Finance Commission, a motion was passed requesting a resolution to amend the Finance Ordinance to provide a \$200 stipend to Election Board members on Election Days; and

WHEREAS, the Legislature finds that Section 27.b of the Finance Ordinance, regarding stipends, should be amended and take immediate effect, in order to provide a more appropriate stipend amount for Election Board members on Election Days; and

WHEREAS, the Legislature finds that Section 27.b of the Finance Ordinance should be amended and take immediate effect, to avoid a situation that would adversely affect a person or multiple people for which Legislative relief is deemed appropriate and necessary by the Legislature, in order to set the stipend amount at a more appropriate level for Election Board members on Election Days; and

WHEREAS, the Legislature finds that amendments to Section 27.b. of the Finance Ordinance must take effect immediately as the normal process of legislation would result in a delay that would adversely impact members of the Nation, since Section 27.b should provide a more appropriate stipend amount for Election Board members on Primary and General Election Day;

NOW, THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, and the Legislative Organization Act, hereby adopts amendments by Quick Passage Procedure to the Finance Ordinance (5 HCC § 5) as follows:

27. Stipend Policy.

b. Rate.

(1) The stipend rate for a regular monthly or quarterly one-day meeting shall be \$125, plus mileage.

(2) The daily stipend rate for a special meeting (a meeting other than regular monthly or quarterly meeting) or for additional days to a one-day regular meeting shall be \$50, plus mileage.

(3) Election Board members shall receive a \$200 stipend, plus mileage, for Election Days.

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 **14th day of February, 2023**, 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.


Rep. Stephanie Begay, Tribal Secretary

02.14.23
Date