



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE FOUR PERCENT SALARY INCREASE FOR LEGISLATIVE ATTORNEY SCOTT SUSSMAN RESOLUTION 11-05-08 E

- 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, organized pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS,** Article V, Section 2(a) of the Ho-Chunk Nation Constitution ("Constitution") grants the Ho-Chunk Nation Legislature ("Legislature") the power to make laws, including codes, ordinances, resolutions, and statutes; 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(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(j) of the Constitution grants the Legislature the power to authorize and appropriate funds to employ legal counsel in accordance with applicable law; 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,** in October 2006, the Ho-Chunk Nation entered into an employment contract with Attorney Scott Sussman; and
- WHEREAS,** Section 5.2 of the Contract provides, "... on the anniversary date of this Contract, Attorney's performance under this Contract shall be evaluated by the Legislature for possible salary increases in accordance with the personnel policies and procedures of the Nation, or at such times as may be agreed by the parties."; and
- WHEREAS,** Section 6, subparagraph d. of the Ho-Chunk Nation *Legislative Organization Act* (2 HCC § 11) provides that [t]he Vice President will exercise supervisory authority over Legislative Counsel(s)/Attorney(s) ..."
- WHEREAS,** the Vice President has evaluated the work of Attorney Scott Sussman and is recommending a four percent salary increase for Legislative Attorney Scott Sussman.

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NOW THEREFORE BE IT RESOLVED, that the Legislature, pursuant to its Constitutional authority, effective immediately is providing a four percent salary increase to Legislative Attorney Scott Sussman.

CERTIFICATION

I, the undersigned, as Tribal Secretary for the Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of **11 members**, of whom **8** constituting a quorum were present at a meeting duly called and convened and held on the **5th day of November, 2008**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **4 members, 4 opposed, and 0 abstaining, (due to the vote being a tie, President Wilfrid Cleveland voted "aye" to break the tie)** 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.



Elliott Garvin, Tribal Secretary

11-5-08

Date

