



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

**HO-CHUNK NATION LEGISLATURE
TECHNICAL AMENDMENT TO TRIBAL
ENROLLMENT AND MEMBERSHIP CODE (2 HCC § 7)
RESOLUTION 2-17-09 G**

- 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(f) of the Constitution grants the Legislature the power to set the salaries, terms and conditions of employment for all governmental personnel; and
- WHEREAS,** the Legislature passed the Tribal Enrollment and Membership Act (2 HCC § 7), which was last amended on October 16, 2007; and
- WHEREAS,** the Legislative Organization Act (2 HCC § 11) provides the procedures for enacting or amending a Ho-Chunk Nation law; and
- WHEREAS,** Section 30 of the Legislative Organization Act provides Quick Passage Procedures; and
- WHEREAS,** under certain limited circumstances, Section 30 provides "[t]he Legislature may vote to immediately pass Legislation."; and
- WHEREAS,** Section 30 of the Legislative Organization Act in relevant parts provides:
- (2) For Legislation to be considered for Quick Passage the Legislature must conclude:
 - (a) The Legislation must take effect immediately to address a situation that:
 - 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 31 would result in a delay that would adversely impact the Nation, a Member of the Nation, or Members of the Nation.
- WHEREAS,** Section 30 of the *Legislative Organization Act* provides "[f]or the Legislation to immediately become the law of the Nation it will require an affirmative vote of more than two-thirds (2/3) of Legislators present at the Legislative Session."

NOW THEREFORE BE IT RESOLVED, that the Legislature, pursuant to its Constitutional Authority, amends Section 5, subparagraph a. (3) of the Tribal Enrollment and Membership Act (2 HCC § 7) to change the language from:

"Committee Vacancies for each District will be posted in accordance with the *Open Meetings Act* (2 HCC § 2). The District Legislators will consult with Tribal Members and recommend Member appointments to the full Legislature for approval." to

Executive Offices

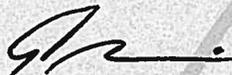
W9814 Airport Road P.O. Box 667 Black River Falls, WI 54615
(715) 284-9343 Fax (715) 284-3172 (800) 294-9343

"Committee Vacancies for each District will be posted in accordance with the *Legislative Organization Act* (2 HCC § 11). The District Legislators will consult with Tribal Members and recommend Member appointments to the full Legislature for approval."

BE IT FURTHER RESOLVED, that no other language of the Tribal Enrollment and Membership Act shall be changed as a result of this Resolution.

CERTIFICATION

I, the undersigned, as Tribal Secretary for the Ho-Chunk Nation, hereby certifies 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 17th day of February, 2009, 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) 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

2-17-09
Date

