



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE ESTABLISHMENT OF LEGISLATIVE WORKGROUP TO UPDATE THE CHARITABLE REQUEST ACT

RESOLUTION 08-23-11D

- 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 (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 (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,** 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
- WHEREAS,** the Legislature deems it necessary and appropriate to review and update Title 4 – Children, Family, and Elder Welfare Code, Section 8 – CHARITABLE REQUEST ACT; and
- WHEREAS,** the Legislative Legal Counsel and informal workgroup has held several meetings for the purpose of reviewing the CHARITABLE REQUEST ACT; and

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WHEREAS, the time needed to review and update the CHARITABLE REQUEST ACT are more appropriate for a Legislative Workgroup to focus their efforts upon, with the inclusion of appropriate Executive Departments, Legislators and Legislative Staff; and

WHEREAS, the Legislative Work Group will focus on the CHARITABLE REQUEST ACT and will have the flexibility to meet and make revisions and, ultimately, recommendations to the Legislative Finance Committee or full Legislature;

NOW THEREFORE, BE IT RESOLVED, that the Ho-Chunk Nation Legislature, pursuant to its constitutional authority, hereby authorizes the creation of CHARITABLE REQUEST ACT Work Group, consisting of these members: any interested Legislators, assigned Legislative Staff, such Legislative Aides, Budget Analyst, any Legislative Paralegal, Legislative Counsel or Attorney; also, staff from the Office of the President, as determined by the President; also, any other staff or employees invited by the Legislative Sponsor; and

BE IT FURTHER RESOLVED that the CHARITABLE REQUEST ACT Work Group shall report on their activity and progress to the Legislative Finance Committee and to the full Legislature after each meeting of the Work Group or upon request; and

BE IT FURTHER RESOLVED that the CHARITABLE REQUEST ACT Work Group shall submit proposed amendments to the CHARITABLE REQUEST ACT, to the Legislative Finance Committee, or as otherwise directed by motion of the Finance Committee or full Legislature; and

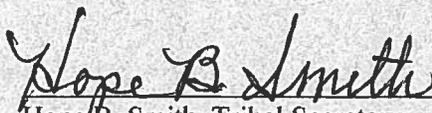
BE IT FURTHER RESOLVED that the Legislative Sponsor shall determine who shall take minutes of meetings for the CHARITABLE REQUEST ACT Work Group, said minutes being available for members of the work group within 5 business days of each meeting; and

BE IT FURTHER RESOLVED, that the work group 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 CHARITABLE REQUEST ACT Work Group 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 **23rd day of August, 2011**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **11 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.



Hope B. Smith, Tribal Secretary



Date