



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE UPDATED APPOINTMENT OF PRESIDING OFFICERS AND MEMBERS TO STANDING COMMITTEES OF THE HO-CHUNK NATION LEGISLATURE

RESOLUTION 12-06-11I

- 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(g) of the Constitution grants the Legislature the authority to set its own procedures, select its officers, and to enact laws governing attendance of its members, including penalties for absences; 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; and
- WHEREAS,** the *Legislative Organization Act* (2 HCC § 11) provides in Paragraph 12a. that there shall be three Standing Legislative Committees which are the Administration Committee, the Finance Committee, and the Development Committee; and
- WHEREAS,** the *Legislative Organization Act* provides in Paragraph 12b. that "[t]he Administration and Development Committees will consist of a Presiding Officer, a Second Presiding Officer, and five (5) members, one (1) member from each Legislative District."; and
- WHEREAS,** the *Legislative Organization Act* provides in Paragraph 12b(1) that "[t]he Finance Committee will consist of all Legislators as members."; and
- WHEREAS,** the *Legislative Organization Act* provides in Paragraph 18 that "[m]embership in the Standing Committees specified in paragraph 12a will be selected by the Legislature from nominations submitted by Legislators within ten (10) calendar days after all members of the Legislature have been sworn into office during an election year."; and
- WHEREAS,** the *Legislative Organization Act* states in Paragraph 14 that the Legislature will select a Presiding Officer and a Second Presiding Officer for each Standing Legislative Committee; and

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- WHEREAS,** Paragraph 14c of the *Legislative Organization Act* states that “[a] Legislator must have been on the Legislature for at least one (1) year before being eligible to be selected as a Presiding Officer or Second Presiding Officer.”; and
- WHEREAS,** the Legislature, on July 7, 2011 appointed its members and presiding officers to the Administration, Development and Finance Committees (see *Resolution 7-07-11B*); and
- WHEREAS,** on September 20, 2011, by *Resolution 9-20-11C*, the Legislature was required to update the composition of the Development and Administration Committees due to the resignation of Elena Terry, former District 3 Legislator, since she was a member of the Administration and Development Committees; and
- WHEREAS,** through *Resolution 9-20-11C*, the Legislature rescinded the portions of *Resolution 7-07-11B* that became inapplicable, due to the resignation of the former District 3 Legislator; and
- WHEREAS,** *Resolution 9-20-11C* temporarily appointed Rep. Hope Smith to the Administration and Development Committees as the District 3 Legislator; and
- WHEREAS,** since Rep. Smith had been serving as the presiding officer of the Administration Committee, it was necessary to make temporary appointments to the leadership of said Committee; and
- WHEREAS,** *Resolution 9-20-11C* temporarily appointed Rep. John Holst as the presiding officer of the Administration Committee and Vice President Greg Blackdeer as the temporary second presiding officer of the Administration Committee; and
- WHEREAS,** since the resignation of the former District 3 Representative, a new District 3 Representative has been elected to fill that position, namely, Heather Cloud; and
- WHEREAS,** the *Legislative Organization Act* governs this situation under Chapter III, Section 15b(2) of the law:
- b. Absence of a Member on Administration and Development Committee:
 - ...
 - (2) If a previously selected member of the Administration or Development Committee is unable to serve for any reason, that member shall be replaced by a temporary member. The selection of the temporary member shall be done according to the following rules:
 - (a) If the previously selected member who is unable to serve is from District I, II, III or V, the temporary member will come from that same District.
 - ...
 - (b) If a Special Election results in the filling of a vacant Legislative seat, the individual elected as a result of the Special Election will be immediately appointed to the Committee and the temporary member will no longer serve on the Committee; and
- WHEREAS,** now that Rep. Heather Cloud has filled the vacant District 3 Legislative seat, she would fill the Committee position temporarily held by Rep. Hope Smith; and

WHEREAS, in light of changed circumstances, the Legislature deems it appropriate to update the appointment of its members and presiding officers to its Standing Committees;

NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its Constitutional Authority, selects the following Representatives to be on the **Administration Committee**:

District I Representative: Susan Weber;
District II Representative: Andrea Estebo;
District III Representative: Heather Cloud;
District IV Representative: Shelby Visintin; and
District V Representative: Greg Littlejohn; and

BE IT FURTHER RESOLVED that as for the **presiding officers** of the **Administration Committee**, the Legislature selects Representative Hope Smith to be the presiding officer of the Administration Committee and selects Representative John Holst to be the second presiding Officer of the Administration Committee, since these reflect the selections that were previously made through *Resolution 7-07-11B*; and

BE IT FURTHER RESOLVED that the Legislature, pursuant to its Constitutional authority, and pursuant to the change in District II membership made in *Resolution 9-20-11C*, selects the following Representatives to be on the **Development Committee**:

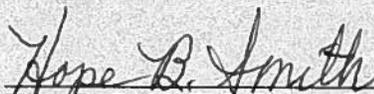
District I Representative: Vice President Greg Blackdeer;
District II Representative: James Greendeer;
District III Representative: Heather Cloud;
District IV Representative Shelby Visintin; and
District V Representative: Patrick RedEagle;

BE IT FURTHER RESOLVED that as for the **presiding officers** of the **Development Committee**, the Legislature selects Representative Doug Greengrass to be the presiding officer and selects Representative John Holst to be the second presiding officer of the Committee, since these reflect the selections previously made in *Resolution 7-07-11B* and confirmed in *Resolution 9-20-11C*; and

BE IT FURTHER RESOLVED that the Legislature retains the presiding officers selected for the **Finance Committee** as set forth in *Resolution 7-07-11B* and *Resolution 9-20-11C*, namely, Representative Robert TwoBears as the presiding officer, and Representative Patrick RedEagle as the second presiding officer of the Finance Committee.

CERTIFICATION

I, the undersigned, as Tribal Secretary for the Ho-Chunk Nation Legislature, 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 **6th day of December, 2011**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **10 members, 0 opposed, and 1 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.



Hope B. Smith, Tribal Secretary



Date