

**HO-CHUNK NATION CODE (HCC)**

**TITLE 1 – ESTABLISHMENT ACTS**

**SECTION 18 – OFFICE OF THE GENERAL COUNCIL ESTABLISHMENT  
AND ORGANIZATION ACT**

**ENACTED BY LEGISLATURE: [DATE]**

**CITE AS: 1 HCC § 18**

*This Act establishes the Office of the General Council by law in observance and furtherance of  
General Council Resolution 9-17-2016-01*

**1. Authority.**

- a. Article V, Section 2(a) of the Constitution of the Ho-Chunk Nation (“Constitution”) grants the Legislature the power to make laws, including codes, acts, resolutions, and statutes.
- b. Article V, Section 2(d) of the Constitution of the Ho-Chunk Nation (“Nation”) empowers the Legislature to authorize expenditures by law.
- c. Article V, Section 2(f) allows the Legislature to set the salaries, terms and conditions of employment for all governmental personnel.
- d. 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.
- e. Article IV, Section 3(g) of the Constitution indicates that the General Council Agency was delegated authority to select, hire, manage and supervise General Council Branch personnel to accomplish the tasks mandated by the General Council; *however*, the General Council Agency was dissolved by the General Council on September 17, 2016 by General Council Resolution 9-17-2016-01.
- f. Article IV, Section 3(a) of the Constitution requires the Legislature to take action on resolutions adopted by the General Council, including the adoption of laws, codes, ordinances, resolutions and statutes.

2. **Purpose.** This Code establishes the Office of General Council under Ho-Chunk law and provides organization for the Office, while addressing necessary authorities and reporting structure.
3. **Mission and Functions.** The Office of General Council shall provide such support and advocacy as are required by the job descriptions for the Office, duly approved by the Legislature of the Nation, and as may be further required by the General Council of the Nation.
4. **Internal Organization and Authority.**
  - a. Consistent with General Council Resolution 9-17-2016-01, the Office of General Council shall consist of the following positions:
    - i. General Council Advocate;
    - ii. General Council Deputy Advocate; and
    - iii. General Council Secretary.
  - b. The General Council Advocate will oversee the Office of General Council and will supervise the other positions, as described in any legislatively approved job descriptions. Further, the General Council Advocate will have the authority to hire additional staff pursuant to the Nation's Employment Relations Act (including limited term employees); provided, however, that such hiring shall be consistent with the approved budget of the Office of General Council and any contract authority that is either reserved to the Legislature or delegated to the Office of General Council.
  - c. The General Council Advocate will have signature authority similar to that of an Executive Director of a Department of the Nation, including such authority for budget and Treasury matters, payroll and personnel matters, and administrative office functions, consistent with the approved job description for the position and the budget of the Office of General Council.
  - d. The Office of General Council may adopt such internal operating procedures as deemed necessary, consistent with this Act, all laws of the Nation, and any legislatively approved job descriptions and budget; provided, however, that such internal procedures must be approved by the General Council Advocate and are subject to further action of the General Council.
  - e. The Office of General Council will coordinate with tribal membership at least three (3) months prior to the Nation's Annual General Council meeting regarding all meeting

specifications, including, but not limited to, venue and RFPs. One tribal member per District of the Nation will represent and assist in the coordination of such Annual General Council meetings.

**5. Reporting.**

- a. The Office of General Council shall report to the Legislature and/or any delegated Legislative Committee, on a quarterly basis as to its activities and planning.
- b. The Office of the President may administratively oversee time and attendance matters relative to the General Council Advocate.
- c. The Office of General Council shall provide a report to the General Council at its Annual Meeting (or such other meetings as directed by the General Council) as to its activities and annual budget.

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Legislative History: