



## HO-CHUNK NATION LEGISLATURE

*Governing Body of the Ho-Chunk Nation*

**HO-CHUNK NATION LEGISLATURE  
ADOPTION OF AMENDMENTS TO THE HO-CHUNK NATION  
CONFIRMATION PROCESS OF EXECUTIVE DIRECTORS FOR THE  
HO-CHUNK NATION ACT (2 HCC § 9)  
RESOLUTION 5-04-10 C**

- 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, pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS,** Article V, Section 2(a) of the Ho-Chunk Nation Constitution ("Constitution") gives the Ho-Chunk Nation Legislature ("Legislature") the power to make laws, including codes, ordinances, resolutions, and statutes; and
- WHEREAS,** Article V, Section 2(b) of the Constitution grants the Legislature the power to establish Executive Departments, and to delegate legislative powers to the Executive branch to be administered by such Departments, in accordance with the law; any Department established by the Legislature shall be administered by the Executive; the Legislature reserves the power to review any action taken by virtue of such delegated power; and
- WHEREAS,** Article V, Section 2(c) of the Constitution grants the Legislature the power to constitute a Board of Directors for each Department, except the President shall name the Executive Director, subject to confirmation by the Legislature; 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(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,** Article VI, Section 2(e) of the Constitution grants the President the power to nominate the Executive Directors of each Department subject to confirmation by the Legislature except that if a confirmation vote is not taken by the Legislature within ninety (90) days the nomination shall be deemed confirmed;
- WHEREAS,** the Ho-Chunk Nation Legislature passed the *Legislative Organization Act* (2 HCC § 11), which was last Amended June 9, 2009; and
- WHEREAS,** the *Legislative Organization Act* provides the procedures for enacting a Ho-Chunk Nation law; and

### **Executive Offices**

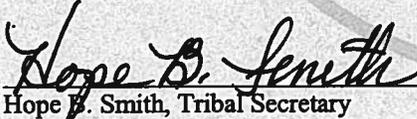
W9814 Airport Road P.O. Box 667 Black River Falls, WI 54615  
(715) 284-9343 Fax (715) 284-3172 (800) 294-9343

- WHEREAS,** Section 31 of the *Legislative Organization Act* provides the procedures for the Normal Legislation Process to enact a law of the Nation; and
- WHEREAS,** at its January 19, 2010 session the Legislature passed a motion to refer proposed amendments to the *Confirmation Process of Executive Directors for the Ho-Chunk Nation Act* (2 HCC § 9) (hereinafter "Confirmation Act") to the Administration Committee; and
- WHEREAS,** the reason for the referral to the Administration Committee was concern over some recent confusion over the process to confirm an Executive Director; and
- WHEREAS,** the Administration Committee reviewed the proposed amendments to the Confirmation Act; and
- WHEREAS,** the Administration Committee adopted a motion to place the Confirmation Act out for forty-five day public comment; and
- WHEREAS,** the Legislature adopted Resolution 02-22-10-A placing proposed amendments out for forty-five day public comment; and
- WHEREAS,** during the forty-five day public comment period, the Legislative Counsel's Office received no public comments regarding the proposed amendments; and
- WHEREAS,** the proposed amendments eliminate confusion about the process to confirm an Executive Director.

**NOW THEREFORE BE IT RESOLVED,** that the Legislature, pursuant to its Constitutional authority, adopts the amendments to the *Confirmation Process of Executive Directors for the Ho-Chunk Nation Act* (2 HCC § 9).

**CERTIFICATION**

I, the undersigned, as Tribal Secretary of Ho-Chunk Nation, hereby certifies that the Legislature of the Ho-Chunk Nation, composed of 13 members of whom 8 constituting a quorum were present at a meeting duly called and convened and held that on the 4th day of May, 2010, that the foregoing resolution was adopted at said meeting by an affirmative vote of 8 members, 0 opposed, and 0 abstaining, pursuant to the 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 the foregoing 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