HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE
PASSAGE OF AMENDMENTS TO
THE *ELECTION CODE* (2 HCC § 6)
RESOLUTION 11-17-09 K

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, Article V, Section 2(h) of the Constitution grants the Legislature the power to enact all laws prohibiting and regulating conduct, and imposing penalties upon all persons within the jurisdiction of the Nation; 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 V, Section 3 of the Constitution provides that the Legislature shall adopt Codes governing Membership, Open Meetings, Elections, Ethics including conflicts of interest, nepotism, and the conduct of all elected and appointed officials and employees, and other Codes as deemed necessary; and

WHEREAS, the Ho-Chunk Nation Legislature passed the *Legislative Organization Act* (2 HCC § 11); and

WHEREAS, the *Legislative Organization Act* provides the procedures for enacting and amending a Ho-Chunk Nation law; and

WHEREAS, the Legislature adopted the *Election Code* (2 HCC § 6), which was last amended on June 23, 2009; and

WHEREAS, the *Election Code* (2 HCC § 6), as required by the Constitution, creates an Election Board; and

WHEREAS, the *Election Code* calls for eleven Election Board Members and the eleven Election Board Members to be selected at each District Meeting; and

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WHEREAS, Resolution 07-21-09 H increased the number of District Meetings from eleven to twelve and provided that Indian Heights shall have a District Meeting; and

WHEREAS, in order to make sure that each District Meeting has an opportunity to select an Election Board Member and that each location with a District Meeting has a polling site on Election Day the Legislature must amend the *Election Code*.

NOW THEREFORE BE IT RESOLVED, that the Legislature, pursuant to its Constitutional Authority, amends the *Election Code* (2 HCC § 6).

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 **8** constituting a quorum were present at a meeting duly called and convened and held on the **17th day of November, 2009**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **4 members, 4 opposed, and 0 abstaining,** ***tie vote, President Cleveland votes aye to break the tie***, 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 11-17-09

Hope B. Smith, Tribal Secretary Date