



## HO-CHUNK NATION LEGISLATURE

*Governing Body of the Ho-Chunk Nation*

### HO-CHUNK NATION LEGISLATURE QUICK PASSAGE PROCEDURE TO APPROVE THE *LEGISLATIVE ORGANIZATION CHART* RESOLUTION 12-7-10 V

**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(g) of the Constitution authorizes the Legislature 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 including but not limited to the foregoing list of powers; and

**WHEREAS**, the Ho-Chunk Nation Legislature passed the *Legislative Organization Act* (2 HCC § 11), which was last amended on June 9, 2009; and

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

**WHEREAS**, Section 30 of the *Legislative Organization Act* provides Quick Passage Procedures; and

**WHEREAS**, under certain limited circumstances, Section 30 provides "[t]he Legislature may vote to immediately pass Legislation."; and

Res.12.7.10 V

#### **Executive Offices**

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**WHEREAS,** Section 30 of the *Legislative Organization Act* in relevant parts provides:

(2) For the Legislation to be considered for Quick Passage the Legislature must conclude:

(a) The Legislation must take effect immediately to address a situation that:

1 Adversely affects the health, safety, welfare, or economic well-being of the Nation;

2 Adversely affects a person or multiple people for which Legislative relief is deemed appropriate and necessary by the Legislature;

3 Is internal to the operation of the Government; or

4 Impacts negotiations with a sovereign entity; and

(b) Adherence to the Normal Legislation Process outlined in Section 31 would result in a delay that would adversely impact the Nation, a Member of the Nation, or Members of the Nation; and

**WHEREAS,** Section 30 of the *Legislative Organization Act* provides “[f]or the Legislation to immediately become the law of the Nation it will require an affirmative vote of more than two-thirds (2/3) of Legislators present at the Legislative Session.”; and

**WHEREAS,** the Ho-Chunk Nation Legislative Administration Committee held a Special meeting on November 29, 2010 to review the *Legislative Organization Chart* and discuss any amendments deemed necessary and beneficial to the Legislature and the Ho-Chunk Nation; and

**WHEREAS,** the Legislative Administration Committee identified that the internal organization required clarification; and

**WHEREAS,** a motion was made, and adopted, at the Legislative Administration Committee on November 29, 2010 to approve the attached Legislative Branch Organization Chart; and

**WHEREAS,** on December 7, 2010, the Legislature ratified the minutes of the November 29, 2010 Special Administration Committee; and

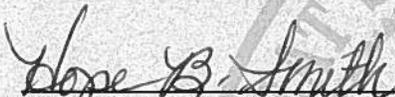
**WHEREAS,** based on the above, the Legislature deems that the *Legislative Organization Chart* should be amended in order to carry out efficient internal operations of the Legislative Office, which, in turn, improves the Legislature’s ability to carry out its functions; and

**NOW, THEREFORE, BE IT RESOLVED,** that the Legislature concludes that the *Legislative Organization Chart* should be amended pursuant to Section 30 of the *Legislative Organization Act*, Quick Passage Procedure, in order to address a situation that adversely affects the health, safety, welfare, or economic well-being of the Nation, and is internal to the operation of the Nation’s government; and

**NOW THEREFORE, BE IT FURTHER RESOLVED** that the Legislature, pursuant to its Constitutional Authority, using the Quick Passage procedures of the *Legislative Organization Act* (2 HCC § 11), approves the attached *Legislative Organization Chart*.

### CERTIFICATION

I, the undersigned, as Tribal Secretary of 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 7<sup>th</sup> day of **December, 2010**, that the foregoing resolution was adopted at said meeting by an affirmative vote of 8 members, 0 opposed, and 3 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

