



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE TIMELINE AND PROCEDURES FOR SPECIAL ELECTION ON REDISTRICTING RESOLUTION 6-10-09 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(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(r) of the Constitution grants the Legislature the power to protect and foster Ho-Chunk religious freedom, culture, language, and traditions; 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 4 of Constitution provides:

Section 4. Redistricting or Reapportionment.

The Legislature shall have the power to redistrict or reapportion including changing, establishing, or discontinuing Districts. The Legislature shall maintain an accurate census for the purposes of redistricting or reapportionment. The Legislature shall redistrict and reapportion at least once every five (5) years beginning in 1995, in pursuit of one-person/one-vote representation. The Legislature shall exercise this power only by submitting a final proposal to the vote of the People by Special Election which shall be binding and which shall not be reversible by the General Council. Any redistricting or reapportionment shall be completed at least six (6) months prior to the next election, and notice shall be provided to the voters.; and

- WHEREAS,** the meeting minutes of the March 17, 2009 Legislative Session provide "**MOTION by V.P. Brown to have the Legislature hold a redistricting election per the previous District Meeting Motions made at Wisconsin Dells, Wisconsin Rapids and Madison. Second by Rep. Cloud. 7-3 (Rep. Fairchild, Littlejohn, K. LoneTree-Whiterabbit)-0 Motion Carried.**"; and
- WHEREAS,** section 2, subparagraph a. of the *Legislative Organization Act* (2 HCC § 11) provides that it was "enacted to establish procedures and rules to govern individual and collective actions of members of the Legislature and to establish uniformity in the proceedings of Legislative business, thereby increasing the efficiency of the Legislature."; and

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- WHEREAS,** the *Legislative Organization Act* provides that the Legislature shall conduct Off-Sites for “staff coordination and internal Administrative review of issues.”; and
- WHEREAS,** given the importance of Redistricting to the Nation, the Legislature should hold an Off-Site to review proposed Redistricting Scenarios; and
- WHEREAS,** creating a timeline and procedures to conduct this Redistricting Process and hold the Off-Site as part of the Redistricting Process will enable for the greatest amount of participation by Ho-Chunk Tribal Members in this extremely important process.

NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, creates the following timeline and procedures for conducting the Redistricting Process:

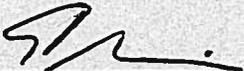
- (1) The Ho-Chunk Nation Office of Tribal Enrollment shall provide to the Legislative Counsel’s Office a current census of all adult Ho-Chunk Members in each Wisconsin county, every state outside of Wisconsin and Ho-Chunk Members outside of the United States. The date used to provide this information on the population of the Ho-Chunk Nation shall be June 10, 2009. In addition, the Ho-Chunk Nation Office of Tribal Enrollment shall provide this same information to any Ho-Chunk Nation Member who requests it;
- (2) Working in conjunction with the Legislator(s) from each District, the Legislative Counsel's Office attorney/counsel or paralegal shall make presentations on the legal requirements for Redistricting Scenarios at District Meetings in the months of July and August;
- (3) For the June 26, 2009 edition of the *Hocak Worak*, the *Hocak Worak* shall include an article and this Resolution in order to make as many Ho-Chunk Nation Members as possible aware that the Legislature determined to conduct a Special Election on Redistricting and encouraging them to participate in the process. This information shall also be posted on the Nation’s website;
- (4) All Ho-Chunk Nation Members shall have until September 4, 2009 to submit proposed Redistricting Scenarios to the Legislative Counsel’s Office or their respective Legislator(s) in order that the proposed Redistricting Scenario(s) may be considered by the Legislature at the Off-Site;
- (5) The Geographic Information System Section within the Division of Natural Resources within the Department of Heritage Preservation shall create maps Redistricting Scenarios;
- (6) The Off-Site for the Legislature to determine which Redistricting Scenarios to place on the ballot shall be on September 28, 2009 at 10:00 a.m. at the Ho-Chunk Nation Convention Center;
- (7) The Legislature at its October 6, 2009 session or nearest Legislative Session to that date will submit the Redistricting Scenarios selected by the Legislature at the Off-Site to the Election Board;
- (8) As soon as possible after the aforementioned Legislative Session, the *Hocak Worak* shall run a Special Edition providing all necessary information with respect to the Special Election on Redistricting;
- (9) Working in conjunction with the Legislator(s) from each District, the Legislative Counsel's Office attorney/counsel or paralegal shall make presentations at District Meetings with respect to the upcoming Redistricting Special Election in the months of November and December; and
- (10) The Election Board shall conduct the Redistricting Special Election on January 5, 2010.

BE IT FURTHER RESOLVED, that the Legislative Counsel’s Office shall periodically provide information to the Information Technology Division of the Ho-Chunk Nation to update the Ho-Chunk Nation website with respect to all Redistricting matters as developments warrant as determined by the Vice-President.

BE IT FURTHER RESOLVED, that the Legislative Counsel's Office shall provide kits to any Tribal Member to help them in the process of developing Redistricting Scenarios.

CERTIFICATION

I, the undersigned, as Tribal Secretary of Ho-Chunk Nation, hereby certifies that the Legislature of the Ho-Chunk Nation, composed of 11 members of whom 9 constituting a quorum were present at a meeting duly called and convened and held that on the 10th ay of June, 2009, that the foregoing resolution was adopted at said meeting by an affirmative vote of 7 members, 1 opposed, and 1 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.



Elliott Garvin, Tribal Secretary

6-10-09

Date

