



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE RESCISSION AND RESTATEMENT OF *RESOLUTION 02-20-24M* TIMELINE AND PROCEDURES FOR LEGISLATIVE REDISTRICTING

RESOLUTION 04-03-24 E

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.

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The Legislature shall redistrict and reapportion at least once every ten (10) 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 last Redistricting of Legislative Districts was completed on October 12, 2018, when the voters of the Ho-Chunk Nation selected a new scenario through a Special Election conducted by the Ho-Chunk Nation Election Board; and

WHEREAS, in recognition that Article V, Section 4 of the Constitution requires the completion of redistricting at least once every ten years, the Legislature has started the process of redistricting, with the goal of selecting a final proposal, conducting a Special Election, and completing the process at least six (6) months prior to the Nation's General Election in June of 2025; and

WHEREAS, the Legislature adopted Resolution 11-07-17A, establishing a Legislative Workgroup on Redistricting, as is authorized under the Legislative Organization Act (for Workgroups); and

WHEREAS, Section 20.c of the Ho-Chunk Nation Election Code (codified at 2 HCC §6) sets forth certain procedures when the Legislature carries out Redistricting pursuant to Article V, Section 4 of the Constitution; and

WHEREAS, Section 20.c(1)(a) of the Ho-Chunk Nation Election Code ("Election Code") addresses tribal census requirements and states that "[t]he Ho-Chunk Nation Office of Tribal Enrollment will keep an accurate census of all Tribal Members who are eligible to vote. If the Legislature determines to have the Election Board conduct a Special Election for Redistricting, the Legislature or its designee will obtain from the Office of Tribal Enrollment an accurate census of all Tribal Members who are eligible to vote"; and

WHEREAS, Section 20.c(1)(c) of the Election Code states that "[t]he Legislature shall pass a Resolution determining the date that the Ho-Chunk Nation Office of Tribal Enrollment shall use for determining the census for purposes of the Special Election for Redistricting"; and

WHEREAS, general guidelines and a formula for Redistricting have been shared by Legislators at the District-Area meetings, and notification provided that the Legislature is starting the process; and

WHEREAS, an article was published in the tribal newspaper, the *Hocak Worak*, on November 10, 2023, providing information to tribal membership about the redistricting process; and

WHEREAS, Legislators of the Nation have also informed tribal members attending District-Area meetings that they may submit proposed Redistricting scenarios with new District boundaries to the Legislative Office in Black River Falls, Wisconsin; and

WHEREAS, during the last legislative redistricting in 2018, the Legislature adopted Resolution 2-23-18E, setting forth timelines and procedures for the Legislature, Nation, and tribal members to follow, leading up to a Special Redistricting Election in October 2018; and

WHEREAS, similar to 2018, the Legislature found it appropriate and necessary to establish a general timeline and procedures to continue the Redistricting process, in order to keep tribal membership informed and allow for the greatest amount of participation by Ho-Chunk Tribal Members in this important process; and

WHEREAS, the Legislature adopted Resolution 02-06-24L, entitled Timeline and Procedures for Legislative Redistricting, but has determined to rescind and restate the same, in order to give tribal members more time to consider applicable information needed in order to formulate Redistricting proposals to the Legislature; and

WHEREAS, accordingly, the Legislature adopted Resolution 02-20-24M to revise the time period on which to have an updated census map of eligible voters completed, so as to allow tribal members more time with the information they might need to develop proposed redistricting scenarios; and

WHEREAS, the Nation's Enrollment Division provided updated numbers of tribal member eligible voters, and the Nation's GIS Division incorporated said information into a current map, which is being provided to tribal members, but to allow more time for membership to review and consider proposed redistricting scenarios, the Legislature finds it appropriate to update Resolution 02-20-24M;

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

- (1) The Ho-Chunk Nation Office of Tribal Enrollment shall provide to the Legislature and 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, updated as of March 5, 2024;

(2) Tribal Members shall have until the date of April 26, 2024, by 4:30 p.m. Central time, to submit any proposed Redistricting scenarios they wish to suggest, including a description of their scenario(s); submitted by email to Redistricting@ho-chunk.com, or by hard copy provided at the Legislative Office within the Tribal Office Building (T.O.B.) of the Nation in Black River Falls, Wisconsin; any such proposal(s) should include the name and contact information for the Tribal Member;

(3) The Legislature will schedule a meeting, hearing or other forum in person or virtually on, or around, May 9, 2024 for Tribal Members to explain and discuss any proposed Redistricting scenario they have submitted;

(4) The Legislature will then hold a Special Meeting to consider and approve a final redistricting proposal, which may consist of different scenarios;

(5) In June of 2024 an article will be published in the *Hocak Worak*, in order to ensure Ho-Chunk Nation Members are aware that the Legislature selected a final proposal, and that the final proposal will be presented to the Nation's Election Board in order to conduct a Special Election on Redistricting. This information shall also be posted on the Nation's website;

(6) The Legislature, at one of its September 2024 sessions or at a Special Session near such date, will submit the final proposal including the Redistricting Scenario(s) selected by the Legislature to the Election Board;

(7) 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;

(8) The Election Board shall conduct the Redistricting Special Election no later than October 26, 2024; and

BE IT FURTHER RESOLVED that the dates and timelines above are not the exclusive dates upon which the Legislature, or Legislative Workgroup, may take action with respect to the Redistricting process, and that the events above shall not be the exclusive means by which the Legislature may go through the Redistricting process;

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 Legislature shall include within its budget for fiscal year 2024-2025 such funds as are necessary for the Legislature to accomplish the procedures outlined within this Resolution that occur within fiscal year 2024-2025.


BE IT FURTHER RESOLVED that the Department of Justice shall include in the Election Board's section of the Department of Justice's budget proposal for fiscal year 2024-2025 funding for the Election Board to conduct the Redistricting Special Election.

BE IT FURTHER RESOLVED that the Department of Administration shall include in the *Hocak Worak's* section of the Department of Administration's budget proposal for fiscal year 2024-2025 for the *Hocak Worak* to run a Special Edition of the *Hocak Worak* regarding the Redistricting Special Election.

CERTIFICATION

I, the undersigned, as Tribal Secretary of Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of **13 members** of whom **13** constituting a quorum were present at a meeting duly called and convened and held that on the **3rd day of April, 2024**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **13 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.


Rep. Stephanie Begay, Tribal Secretary


Date