



**HO-CHUNK NATION LEGISLATURE**  
*Governing Body of the Ho-Chunk Nation*

**HO-CHUNK NATION LEGISLATURE  
SELECTION OF FINAL REDISTRICTING PROPOSAL  
AND SUBMISSION TO THE ELECTION BOARD  
TO CONDUCT SPECIAL ELECTION ON REDISTRICTING**

**RESOLUTION 07-31-24 A**

- 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(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 4 of the Constitution provides that "[t]he Legislature shall have the power to redistrict or reapportion including changing, establishing, or discontinuing Districts."; and
- WHEREAS**, Article V, Section 4 of the Constitution provides that "[t]he Legislature shall redistrict and reapportion at least once every ten (10) years beginning in 1995, in pursuit of one-person/one-vote representation" and that "[a]ny 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 occurred on October 12, 2018, by completion of a Special Election on Redistricting, and selection by the voters of the Ho-Chunk Nation of a Redistricting Scenario; and
- WHEREAS**, pursuant to Article VIII of the Constitution, the next General Election of the Nation would be scheduled for June of 2025;

**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,** on August 22, 2023 the Legislature passed a motion to consider redistricting issues and the start of redistricting to the Legislative Redistricting Workgroup, and the Workgroup was requested to meet about the issues; and

**WHEREAS,** the Legislative Workgroup on Redistricting met several times from September 2023 to July 2024, to discuss the steps the Legislature would take to inform and involve tribal membership, assist tribal members in developing redistricting scenarios, and the process the Legislature would use to eventually select a final proposal on redistricting to submit to the Nation's Election Board; and

**WHEREAS,** the Legislature also placed information about Redistricting in the official newspaper of the Nation, the *Hocak Worak*, on November 10, 2023, while also creating a dedicated page on the Nation's website for tribal members to view information on 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,** 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,** the Legislature adopted Resolution 2-20-24M, Resolution 4-03-24E, and then Resolution 5-21-24R, setting forth timelines and procedures for the Legislature, Nation, and tribal members to follow, leading up to a Special Redistricting Election in October 2024; and

**WHEREAS,** 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 multiple timeline and procedure Resolutions, as updates and revisions to the timeline and procedures for Legislative Redistricting, which resulted in more time for tribal members to submit proposals to the Legislature; and

**WHEREAS,** the Legislature determined to utilize Ho-Chunk eligible voter population numbers, in conjunction with the Nation's GIS staff, from March 2024, based on verified numbers from the tribal Enrollment Office (which keeps such census-type information); and

**WHEREAS,** the Legislature encouraged Ho-Chunk Members to comment on the proposed Redistricting Scenarios and create their own Redistricting Scenario(s); and

**WHEREAS,** the Legislature held a Redistricting Forum on May 20, 2024 to allow tribal members who submitted redistricting proposals to discuss and support their scenarios to Legislators and the public; and

**WHEREAS,** the Legislature received twenty-four (24) proposed redistricting scenarios from tribal membership; and

**WHEREAS,** the Legislature worked with the Nation's GIS staff to review submitted redistricting scenarios, then also analyze the number of representatives proposed, the suggested boundaries, the percentage deviation between districts in terms of representation, the extent to which proposals might separate distinct Ho-Chunk communities of interest, and whether proposed districts were contiguous; and

**WHEREAS,** Article V, Section 4 of the Constitution provides that "[t]he Legislature shall exercise this power [the power to Redistrict] 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."; and

**WHEREAS,** in *Chloris Lowe Jr. and Mr. Stewart J Miller v. Ho-Chunk Nation Legislature Members Elliott Garvin, Gerald Cleveland, Myrna Thompson, Isaac Greyhair, Dallas White Wing, Kevin Greengrass, and Clarence Pettibone, in their official capacity and individually; and Ho-Chunk Nation Election Board*, Case No. CV 00-104 (Nov. 3, 2000), the Ho-Chunk Nation Trial Court held that "[t]he Court holds that designating three (3) scenarios as a final proposal without reserving any subsequent right to amend represents a permissible construction of the constitutional requirement. A final proposal may reasonably include component parts, and the presence of more than one choice on the ballot may prove in the best interests of the membership."; and

**WHEREAS,** pursuant to Section 20.c(2)(c)1 of the Election Code, the "Legislature does not have to use the best Redistricting Scenario to promote the objective of one-person/one-vote representation, but any Redistricting Scenario that furthers that objective"; and

**WHEREAS,** the Legislature conducted a Special Legislative Meeting on July 31, 2024 to review all submitted proposals and determine which Redistricting Scenarios to present as the Legislature's final proposal; and

**WHEREAS,** at the Special Meeting, three (3) Redistricting Scenarios were selected as the Legislature's final proposal to forward to the Nation's Election Board to include on the ballot for voters to consider at a Special Election pursuant to the Constitution; and

**WHEREAS,** the Legislature, having conducted a Special Meeting on July 31, 2024 to consider Redistricting Scenarios, finds it appropriate to select a final proposal pursuant to the Article V, Section 4 of the Constitution;

**NOW, THEREFORE BE IT RESOLVED,** that the Legislature, pursuant to its Constitutional Authority, and in pursuit of one-person/one-vote representation pursuant to Article V, Section 4 of the Constitution, submits a final redistricting proposal containing three (3) component parts, including Redistricting Scenarios: #14, #17, and #24 to the Ho-Chunk Nation Election Board for the Election Board to conduct a Special Redistricting Election;

**BE IT FURTHER RESOLVED** that the Special Election shall be completed prior to October 26, 2024;


**BE IT FURTHER RESOLVED** that if the Election Board deems that the October 26, 2024 date for a Special Election is unattainable, they shall notify the Legislature as soon as possible to coordinate a workable date;

**BE IT FURTHER RESOLVED** that an implementation plan for each scenario included in the final proposal shall be prepared by Legislative Counsel, then submitted to the Election Board pursuant to Section 20.c(2)(d)6 of the Election Code; and

**BE IT FURTHER RESOLVED** the Legislative history of Redistricting in 2024, leading to the Spring of 2025, shall be memorialized and documented.

### 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 **11** constituting a quorum were present at a meeting duly called and convened and held that on the **31st day of July, 2024**, adopted the foregoing resolution at said meeting by an affirmative vote of **11 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

07.31.24  
Date