



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE REQUEST TO HOLD SPECIAL GENERAL COUNCIL MEETING

RESOLUTION 03-06-13L

- 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 IV, Section 6 of the Ho-Chunk Nation Constitution ("Constitution") states that Special Meetings of the Nation's General Council shall be called by the President of the Nation upon petition by twenty (20) percent of the eligible voters, or upon written request of a majority of the Legislature, or when deemed necessary by the President; and
- WHEREAS,** Article IV, Section 6 of the Constitution provides that when a Special Meeting of the General Council is called, "[n]otice shall be provided by the President for all Special Meetings of the General Council."
- 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(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 Legislature adopted Resolution 9-25-12 O, approving a Federal Section 17 Corporate Charter for Twelve Clans, Inc. to be filed with the U.S. Department of the Interior, Bureau of Indian Affairs for review and approval; and
- WHEREAS,** according to the Bureau of Indian Affairs ("BIA") process, the agency conducts a review of any such Section 17 Charter to determine compliance with federal requirements and consistency with a tribe's own governing law; and
- WHEREAS,** once the BIA completes its review, it sends a Technical Comment letter to the tribe that might identify concerns or suggest edits to the Corporate Charter; and
- WHEREAS,** once a Technical Comment Letter is sent from the BIA to the tribe, the Section 17 Corporate Charter will not be fully effective until the tribe approves it a final time as a ratification of the Charter; and

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WHEREAS, the Legislature held a Special Session on December 17, 2012 to discuss the Section 17 Charter and issues related to corporation formation, goals and objectives; and

WHEREAS, a motion was adopted at the Legislative Special Session on December 17, 2012 that before any ratification of the Section 17 Corporate Charter by the Nation takes place, a Special General Council meeting be held within sixty (60) days of receiving the BIA's response comments; and

WHEREAS, the BIA's Midwest Regional Office sent a Technical Comment Letter to the Nation, providing its overview and response regarding the proposed Section 17 Charter for Twelve Clans, Inc., which was received on February 21, 2013; and

WHEREAS, the Legislature finds it appropriate to call for a Special General Council meeting to allow the tribal membership to discuss the Section 17 Corporate Charter, consistent with its prior adopted motion on December 17, 2012, and pursuant to Article IV, Section 6 of the Constitution; and


WHEREAS, sixty (60) days from the date of BIA notice would be April 22, 2013;

NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, calls for a Special General Council Meeting to be held on April 20, 2013, at Patriots Center in Rothschild, Wisconsin, for the purpose of providing an overview and discussion of the Section 17 Charter to the General Council;

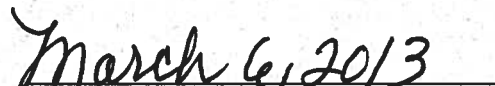
BE IT FURTHER RESOLVED that, pursuant to Article IV, Section 6 of the Constitution, the President shall provide notice of the Special General Council Meeting to the tribal membership.

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 6th day of March, 2013, 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.



Hope B. Smith, Tribal Secretary



Date