



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE APPOINTMENT OF JOSEPH JOHN KELLER TO AD HOC SEARCH COMMITTEE FOR TWELVE CLANS, INC. SECTION 17 CORPORATION

RESOLUTION 08-05-14H

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(d) of the Constitution grants the Legislature the power to authorize expenditures by law and appropriate funds to the various Departments in an annual budget; and

WHEREAS, Article V, Section 2(l) of the Constitution grants the Legislature the power to enact laws to manage, lease, permit, or otherwise deal with the Nation's lands, interests in lands or other assets; and

WHEREAS, Article V, Section 2(q) of the Constitution grants the Legislature the power to issue charters of incorporation, to charter corporations and other organizations for economic or other purposes, and to regulate their activities; and

WHEREAS, Article V, Section 2(s) of the Constitution grants the Legislature the power to promote public health, education, charity, and such other services as may contribute to the social advancement of the members of the Ho-Chunk Nation; 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

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WHEREAS, the Legislature has analyzed and considered the issue of separation of business from government, pursuant to the wishes of the Ho-Chunk Nation General Council, for many years, including receiving guidance and recommendations from various sources and experts; and

WHEREAS, the Legislature has considered the need for economic diversification of the Nation's economy and business activities, recognizing the importance of enhancing the sovereignty and security of the Nation and the health and welfare of the Nation's People; and

WHEREAS, the further the Nation's interests, and address the wishes of the General Council, the Legislature considered the specific option of incorporating a separate business entity of the tribe through Section 17 of the Indian Reorganization Act, which provides for federal approval of a corporate charter for tribes to conduct business separate from the tribal government (See 25 U.S.C. § 477); and

WHEREAS, the Legislature approved a Section 17 Corporate Charter for an entity named "Twelve Clans, Inc." through Resolution 09-25-130, and filed the same with the Midwest Office of the Bureau of Indian Affairs ("BIA") for review and comment; and

WHEREAS, the Midwest Office of the BIA provided a technical comment letter dated February 15, 2013 to the Nation, to identify issues and questions of the BIA for the tribe to address, if it deemed it appropriate; and

WHEREAS, the Legislature prepared to place the issue of economic diversification and the Section 17 incorporation on the agenda to discuss with the Nation's membership at the annual General Council meeting in September 2013; and

WHEREAS, leading up to the September 2013 General Council meeting, the Legislature published several articles on economic diversification and the objectives of Section 17 incorporation, culminating in a Special Legislative Section to the Hocak Worak on September 13, 2013, which included an updated, revised Charter for Twelve Clans, Inc. for the Nation's membership to review; and

WHEREAS, after the Section 17 Charter was found acceptable by the General Council, the Legislature held a Special meeting on September 30, 2013 and authorized filing the updated Charter with the Midwest BIA for further review and comment; and

WHEREAS, the Midwest BIA responded by letter dated May 30, 2014 with various comments and suggestions for the Nation to consider; and

WHEREAS, the Legislature convened several meetings of its Economic Diversification Workgroup to review the Section 17 Charter, the May 30, 2014 BIA comment letter, and discuss any potential edits to the Charter; and

WHEREAS, Article XI of the Section 17 Corporate Charter addresses the composition of the Corporate Board and states: "The first Corporate Board shall be appointed by the Nation's Legislature, as Incorporators of this Corporation. This shall be done by appointing an ad hoc search committee or board whose only purpose will be to select suitable candidates for the first Board of Directors."; and

WHEREAS, the Legislative Workgroup on Economic Diversification discussed methods for appointing persons to the ad hoc search committee noted in Article XI, Section B.1 of the Section 17 Charter, and advertised in the Hocak Worak for persons who may be interested in serving in such a capacity; and

WHEREAS, the Legislature received interest from several persons, including Joseph John Keller, and now finds it appropriate to make appointments to the ad hoc search committee, to begin the process of finding candidates for the first Corporate Board of Directors.

NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, and Article XI of the Twelve Clans, Inc. Section 17 Corporate Charter, hereby appoints Joseph John Keller as a member of the ad hoc search committee.

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 12 constituting a quorum were present at a meeting duly called and convened and held that on the 5th day of August, 2014, adopted the foregoing resolution at said meeting by an affirmative vote of 11 members, 0 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.

Kathleen Lone Tree-Whiterabbit
Kathleen Lone Tree-Whiterabbit, Tribal Secretary

8.5.14
Date