



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE DISSOLUTION OF HO-CHUNK NATION CONSTITUTIONAL REFORM TASK FORCE

RESOLUTION 08-19-14G

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(i) of the Constitution grants the Legislature the power to negotiate and enter into treaties, compacts, contracts, and agreements with other governments, organizations, or individuals; 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(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, at the Nation's General Council meeting on November 16, 2002, the General Council adopted Resolution 11/19/2002-0001 mandating that the Legislature create a Constitutional Reform Task Force; and

WHEREAS, specifically, the 2002 General Council Resolution assigned the following tasks to the Constitutional Reform Task Force: to incorporate amendments to the Constitution addressing the areas of a Presidential Veto, the Office of the Vice President, term limits, and any other changes as directed by the General Council; and

WHEREAS, the 2002 General Council Resolution also stated that "said Task Force must make its findings known to the Legislature and the Nation by a report due no later than June 1, 2003, with the goal of a Secretarial Election to be held at the next annual."; and

WHEREAS, based on the General Council's Resolution, the Legislature created the Constitutional Reform Task Force ("CRTF") by adoption of Resolution 06-20-07A, and appropriated a Fiscal Year 2007-2008 budget for the CRTF in the amount of \$58,800.00; and

WHEREAS, since 2007, the CRTF has continued to meet and discuss the Nation's Constitution, potential amendments, and the process for amending the Nation's Constitution through a Secretarial Election (of the Secretary of the U.S. Department of Interior), and has continued to expend funds appropriated by the Legislature to them in an annual budget; and

WHEREAS, the Ho-Chunk Nation held a Secretarial Election, with assistance by the Bureau of Indian Affairs, on August 14, 2012, to consider amendments to the Nation's Constitution regarding a Presidential Veto, term limits, the Office of the Vice President and other proposed amendments; and

WHEREAS, the Legislature finds that the CRTF has fulfilled its function, as directed by the Nation's General Council, and therefore is no longer necessary as an entity to be funded by the Legislature; and

WHEREAS, since the CRTF has fulfilled its delegated tasks, the Legislature and Members have received reports that the CRTF may be shifting its focus to provisions of the Constitution regarding membership, civil rights, and Due Process; and

WHEREAS, in light of the fact that the CRTF has completed the tasks given to it by the General Council, and in order to avoid undue drifting of its focus into areas that run afoul of the existing Constitution, the Bill of Rights, or the civil rights of those who fall under the jurisdiction of the Nation, the Legislature finds it appropriate to dissolve the CRTF.

NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, hereby dissolves the Constitutional Reform Task Force and mandates that any budget funds remaining for it be transferred to the General Fund of the Nation; and

BE IT FURTHER RESOLVED that upon adoption of this Resolution, the Constitutional Reform Task Force shall no longer exist.

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 **9** constituting a quorum were present at a meeting duly called and convened and held that on the **19th day of August, 2014**, adopted the foregoing resolution at said meeting by an affirmative vote of **3** members, **2** opposed, and **4** 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

8.19.14
Date