



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

HO-CHUNK NATION LEGISLATURE
APPROVAL OF CHARTER FOR HO-CHUNK NATION
SECTION 17 CORPORATION

RESOLUTION 09-25-120

- 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(b) of the Constitution grants the Legislature the power to establish Executive Departments, and to delegate legislative powers to the Executive Branch to be administered by such Departments, in accordance with the law; any Department established by the Legislature shall be administered by the Executive; the Legislature reserves the power to review any action taken by virtue of such delegated power; and
- WHEREAS,** Article V, Section 2(c) of the Constitution grants the Legislature the power to constitute a Board of Directors for each Department, except the President shall name the Executive Director, subject to confirmation by the Legislature; 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

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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 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, more recently, considered the 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; and

WHEREAS, the Legislature finds it appropriate, at this time, to approve a Charter for the Section 17 corporation with the intention of filing the Charter with the Bureau of Indian Affairs for review and approval;

NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, and Section 17 of the Indian Reorganization Act, hereby approves the attached Charter of the Ho-Chunk Nation's Section 17 Corporation, identified as 12 Clans.


BE IT FURTHER RESOLVED that the Vice President, or designee, is authorized to execute any necessary correspondence with the Bureau of Indian Affairs with respect to filing any required documents.

CERTIFICATION

I, the undersigned, as Tribal Secretary for the 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 on the **25th day of September, 2012**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **8 members, 2 opposed, and 1 abstaining**, pursuant to the authority of 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 said resolution has not been rescinded or amended in any way. I further certify that this is a verified copy of said resolution.



Hope Smith, Tribal Secretary



Date